UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/923
14 September 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

# ANNUAL THEME

# STRENGTHENING PARTNERSHIP TO ENSURE PROTECTION, ALSO IN RELATION TO SECURITY

## I. INTRODUCTION

1. In June 1999, the fifteenth meeting of the Standing Committee decided to select "Strengthening partnership to ensure protection, also in relation to security" as the annual theme for the fiftieth session of the Executive Committee of the High Commissioner's Programme.[1] The creation of partnerships between the Office of the United Nations High Commissioner for Refugees (UNHCR) and a range of players has aimed at improving the effectiveness of its action on behalf of refugees and other persons of concern, as well as addressing security-related risks affecting them and humanitarian workers. This note is intended to provide background information for the debate on the annual theme. It raises relevant issues and gives examples of how partnership with a variety of actors has contributed to improving the protection of asylum-seekers, refugees and other persons of concern to UNHCR, and to addressing security-related concerns. It makes no claim to being exhaustive, but aims to prompt thought and discussion on how partnerships can break new ground in addressing the complex challenges posed by refugee movements. The note ends with some suggestions as to both the potential limits of partnership, and elements of success.

## II. PROTECTION AND SECURITY IN AN INCREASINGLY COMPLEX INTERNATIONAL ENVIRONMENT

2. Protection lies at the heart of UNHCR's mandate. In its broadest sense, protection encompasses all activities aimed at restoring the human dignity of

[1]This theme is related to that debated during the forty-ninth session of the Executive Committee -- "International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees" -- which elucidated the importance of partnership among States for the preservation of the institution of asylum.

refugees, safeguarding their rights and seeking durable solutions to their problems, within the framework of the 1951 Convention relating to the Status of Refugees and the 1967 Protocol.[2] Seen from this broad perspective, the task of protection has legal, as well as physical and material dimensions.

3. Providing international protection to refugees and other persons of concern has become more difficult owing to the increasingly complex international environment. Over the past two decades, the system for refugee protection has been severely tested in many parts of the world. There has been a decline in support for the institution of asylum. Irregular migrants, armed elements, and even persons who would be excluded from refugee status under the terms of the 1951 Convention, increasingly seek asylum alongside genuine refugees. At the same time, humanitarian and human rights principles and norms in conflict situations are being flagrantly violated. Civilians are often the main targets of warring parties, with women and children suffering in disproportionate numbers. Women are all too often subjected to atrocities that include organized rape and sexual exploitation. Children and adolescents have been forcibly recruited, compelled to support the war effort in varying ways or been subjected to sexual or other abuse and exploitation. Elderly refugees, the most easily forgotten, face problems linked to social disintegration and chronic dependency. Though less visible, their problems are no less acute.[3]

4. Risks to humanitarian personnel have also grown, as they work in situations of open conflict or rampant insecurity. Humanitarian staff have faced threats, use of force, physical attacks resulting in injury or death which prevent or impede them from discharging functions that include protection. To counter these increasing risks, intense efforts have been made within the United Nations system to raise security awareness and training of staff in greatest danger, and ensure that security officers are posted to high-risk operations. Due to this ongoing vigilance, the actual number of incidents has remained fairly constant, but nonetheless extremely worrying.

5. It follows that within this complex environment, efforts to ensure protection have increasingly focused on the aspect of physical safety of persons of concern, as well as of humanitarian personnel. No one organization can face the challenge alone. The theme of the fiftieth session, focusing on partnership, is particularly timely and relevant. As never before, a concerted international approach is needed to prevent and redress violations to the physical safety and security of refugees and other persons of concern to UNHCR, as well as of our own and partners' staff. Such an approach must embrace efforts to strengthen respect for human rights and the rule of law, to ease tensions within communities, and to catalyse reconciliation, peace-building and institution-building. Some recent peace agreements have contained physical and legal protection elements such as these, and envisage close cooperation between an array of organizations and

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[2]Such protection activities include promoting accession to the 1951 Convention and the 1967 Protocol, providing support for the establishment of national status determination procedures, assisting governmental and private efforts to promote voluntary repatriation or assimilation within new national communities, etc. See Statute of the Office of the United Nations High Commissioner for Refugees, General Assembly Resolution 428(V) of 14 December 1950, Chapter II, para. 8.

[3]EC/48/SC/CRP.39

institutions working on civilian as well as military aspects of peace implementation.

## III. PARTNERSHIP: WHAT IT IS AND WHY IT IS NEEDED

6. The term *Partnership* conjures up a number of concepts: those of a shared objective or goal, the desire to join efforts to attain that objective and a sense co-responsibility for the desired outcome. Partnership, however, does not require a consonance of views on all issues and at all times. Nor does partnership forged to achieve a specific, shared objective imply that partners will wish to pursue their cooperation to tackle other problems or issues. At the same time, partnership means more than "coordination" or "cooperation." It may be the only means to fill gaps between traditional mandates or to mobilize the efforts of a number of partners where identified needs cut across the mandates of several organizations.

7. Partnership is at the foundation of the way international protection is envisaged in the 1951 Convention and the 1967 Protocol, and in UNHCR's Mandate. Key provisions of both acknowledge that the effective performance of UNHCR's functions depends on its cooperation with States, intergovernmental organizations, private organizations and other entities. Accordingly, partnerships in various forms and with a wide range of actors have been a pivotal aspect of UNHCR's modus operandi over the years, enhancing protection in all its dimensions.

8. UNHCR's partnerships take many forms, according to the needs of a given situation. They range from broad strategic frameworks with States or regional bodies, or formalized inter-institutional agreements at the Headquarters level[4]. They may also take the shape of formal or informal understandings with non-governmental entities or local authorities. Such arrangements have often proved highly effective, since they are based on a partnership that is designed to achieve one or more concrete goals, rather than simply providing a broad framework for cooperation. Partnership agreements may also reflect a long-term commitment to cooperate on a range of issues or be limited in time and scope. Since its founding, UNHCR has worked with a number of traditional partners: refugees and other persons of concern; Governments and the public sector; the non-governmental sector, the Red Cross movement, as well as other agencies of the United Nations system.

9. New and dynamic partnerships have been born through the need to see protection roles in more comprehensive terms that include:

- addressing root causes of refugee flows;
- monitoring human rights;
- enhancing response capacities, including through early-warning systems;
- peacemaking and peacekeeping; and
- ensuring a transition from relief to sustainable development.

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[4]Over the years, UNHCR has concluded Memoranda of Understanding, exchanges of letters or other forms of cooperation agreements with scores of intergovernmental organizations, institutions or other entities, such as: ADB/ABF, the Council of Europe, ECHO, IDB, IIDH, ISESCO, IFAD, IGAD, ILO, IOM, NATO, OAU, OECD, OHCHR, OIC, OSCE, SADC, UNAIDS, UNBRO, UNDP, UNDRO, UNESCO, UNFPA, UNICEF, UNIFEM, UNOPS, UNRISD, UNSECOORD, UNV, the World Bank, WFP and WHO.

In response to the rapidly evolving approaches to protection, the nature and scope of UNHCR's partnerships have also developed. Links are being forged or strengthened with international, regional and sub-regional organizations; academic and other institutions; international financial institutions; the private sector; members of civil society; and even military organizations and police structures. Importance is placed on each partner bringing added value to the collaborative effort.

10. The need to ensure a secure environment for returnees is another area of concern. Such a need was among the considerations leading to the initiative referred as the "Brookings Process". This initiative jointly sponsored by the High Commissioner and the President of the World Bank is involving consultations between governments, international and non-governmental organizations, highlighting the shared responsibility of a wide spectrum of humanitarian and development actors in efforts to bridge the gap between humanitarian assistance and long-term development. The aim is to explore means of ensuring, through new and innovative partnerships, a more successful transition from conflict to sustainable development and peace in societies emerging from conflict.

11. In today's complex environment, UNHCR's strategic partnership with other players can bring appreciable benefits such as:

- influencing public opinion in favour of refugees, thereby reinvigorating support for asylum;
- augmenting capacity to monitor protection-related developments (in some circumstances benefiting from the dissuasive effect of the presence of others, in cases where UNHCR is not physically represented);
- obtaining additional resources to support UNHCR's protection mandate;
- improving coordination mechanisms;
- drawing on areas of specific expertise which are outside UNHCR's competence[5];
- creating new methodologies and developing new approaches to protection;
- ensuring that frameworks for resolving conflict take due account of the humanitarian and protection dimensions, and that solutions to refugee problems are durable and sustainable;
- exchanging information on security risks to both refugees and staff, in order to reinforce collaborative measures to counter them.

## IV. UNHCR AND ITS PARTNERS: SOME EXAMPLES

### A. States, regional and international organizations

12. The 1951 Convention and UNHCR's Statute both affirm the need for cooperation between UNHCR and States, intergovernmental organizations, private organizations, and other entities. Under Article 35 of the 1951 Convention, States undertake to cooperate with UNHCR "and to facilitate its duty of supervising the application of the provisions of [the] Convention". Cooperation with States is also dictated by pragmatic considerations. States are the primary custodians of the refugee protection regime, not least

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[5] As, for example, in matters of legal, political, military, or technical know-how.

because they are the dominant actors on the international plane and - as parties to the 1951 Convention and/or the 1967 Protocol - bound by their provisions. In addition, States are responsible for providing protection and security to all individuals within their jurisdiction, including respect for fundamental human rights, such as the right to life, liberty and security of person. Given this central position occupied by States, UNHCR's protection mandate can only be pursued in close collaboration with them.

13. Beyond cooperation of this kind, UNHCR seeks to enter into other forms of partnership with States. At the most formal level, UNHCR works in partnership with States to clarify and develop the normative and procedural framework for refugee protection, through the process of drafting Executive Committee Conclusions, international instruments and national legislation. The 1969 OAU Convention and the 1985 Cartagena Declaration are examples of major protection-related regional instruments in which UNHCR was actively involved at the drafting stage. UNHCR and States work closely together in the establishment and functioning of status determination procedures. At the country level, States have worked closely with UNHCR in establishing and managing refugee camps and settlements, and in ensuring the delivery of a range of protection and assistance services, not least among them the distribution of material assistance to refugees. Further opportunities for partnerships have been seen in the context of durable solutions. In particular, voluntary repatriation, local settlement and resettlement require coordinated action between UNHCR, countries of origin countries of asylum, and countries of resettlement.

14. UNHCR works closely with many international partners on the international scene whose humanitarian, human rights or protection-related mandates complement its own. These include the International Committee of the Red Cross (ICRC); United Nations agencies and programmes, notably the World Food Programme (WFP), the United Nations Children's Fund (UNICEF), Special Representatives and Representatives of the Secretary-General of the United Nations, as well as Resident Coordinators; United Nations Special Rapporteurs; various Working Groups; international tribunals; as well as other actors on the international scene. UNHCR's collaboration with these partners has been fuelled by a realization that human rights, humanitarian law and refugee protection are parallel and mutually reinforcing. A notable example of this trend is work in the field of the internally displaced. As no one international agency has a mandate for addressing the situation of internally displaced persons, strong cooperation is a prerequisite for effective protection and the attainment of durable solutions. UNHCR has been an active partner in consultations under the aegis of the Inter-Agency Standing Committee (IASC) Working Group on Internally Displaced Persons aimed at strengthening the protection of the internally displaced through stronger inter-agency cooperation.

15. The last two decades have seen many other positive examples of UNHCR in partnership with States and international partners. One of them was the 1989 International Conference on Indo-Chinese Refugees, whose Comprehensive Plan of Action (CPA) established a framework for constructive collaboration between South-East Asian States receiving Indo-Chinese asylum-seekers and other concerned States further afield. The 1989 International Conference on Central American Refugees (CIREFCA) is often cited as a model of cooperation between seven Central American States, the United Nations Secretary-General, UNHCR and the United Nations Development Programme (UNDP). It broke new

ground in several areas -- by devising "Quick Impact Projects" to assist returnee- and refugee-hosting communities, by empowering displaced women to play an active role in the process of reconciliation and economic development and by giving local communities and NGOs a greater voice in their future. More importantly, CIREFCA furthered the protection of refugees and other persons of concern by placing the principles governing the repatriation of refugees and the protection of internally displaced persons high on the agenda for regional peace and reconciliation.

16. More recently, the process of follow-up to the May 1996 CIS Conference[6] has fostered innovative and productive partnerships for protection. Countries participating in the CIS Conference process are drafting, revising, or have already adopted refugee legislation. Capacity-building and training activities are being intensified to assist States in the region to establish asylum systems and refugee status determination procedures in accordance with international standards. The CIS process has also led to closer cooperation on the issue of citizenship. Strong cooperation in addressing the issue of statelessness between UNHCR, the Council of Europe and the relevant institutions of the Organization for Security and Cooperation in Europe (Office for Democratic Institutions and Human Rights (ODIHR) and the High Commissioner on National Minorities (HCNM)) has begun to bear fruit. Nevertheless more effort will be needed to bring national legislation and practice in line with the 1961 Convention on the Reduction of Statelessness and the Council of Europe Convention on Nationality. Thanks to the CIS process and the cooperation it engendered, important headway has also been made to address the situation of Formerly Deported Peoples. The HCNM, in close cooperation with UNHCR and the Open Society Institute's Forced Migration Projects, has spurred consultations to begin shaping a comprehensive, solutions-oriented approach with the involvement of all concerned actors.

17. The Kosovo crisis also provided fertile ground for partnership with States and intergovernmental organizations aimed at strengthening protection. Prior to March 1999, UNHCR cooperated closely with the OSCE Kosovo Verification Mission (KVM), as well with the International Committee of the Red Cross (ICRC) and a range of local and international NGOs. This partnership was instrumental in securing reliable information on the numbers, locations and situation of displaced persons and returnees and in facilitating interventions to address urgent needs and bring vulnerable groups to safety. The sharing of information was also important for the protection of humanitarian staff on the ground, particularly as the crisis deepened. In Kosovo, international presence again proved to be a major factor in containing, if not totally preventing, threats to life, security and property.

18. These partnerships were dramatically disrupted by events as from March 1999. New forms of partnership were forged to respond to the massive flight of close to one million refugees and displaced persons from Kosovo. The Humanitarian Evacuation Programme designed to relieve the exceptional pressure experienced by one of the countries of asylum was an example of

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[6] Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (Geneva, May 1996), convened by UNHCR in cooperation with OSCE and IOM.

solidarity and burden-sharing in extreme conditions. This Programme demonstrated an exemplary political will to avert a risk of destabilisation created by the presence of large numbers of refugees in precarious circumstances.

19. The adoption of the Security Council Resolution 1244 (1999), and the signing of the Military Technical Agreement between the International Security Force (KFOR) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia saw the establishment of KFOR in Kosovo and the return of well over 770,000 ethnic Albanians to Kosovo as of 1 September 1999. Once more partnerships - notably within the framework of the United Nations Mission in Kosovo - are being established and re-shaped.

20. Constructive dialogue with the European Union (EU), its Member States and institutions has been a high priority of the Office for many years now. This includes the work of the High Level Working Group on Asylum and Migration, which is currently developing an integrated, common strategy and overall approach to asylum and migration policy for selected countries and regions from which most asylum-seekers and migrants to the EU originate. Cooperation between the EU and UNHCR is now formalized in Declaration No. 17 to the Treaty of Amsterdam, which entered into force on 1 May 1999. The forthcoming Tampere Summit of EU Heads of State and of Government will provide an opportunity to define a strategy for the establishment of the European common "area of freedom, security and justice".

21. In Africa, partnership with the Organization of African Unity (OAU) continues to be the cornerstone of efforts for sustainable peace and the resolution of refugee problems. 1999 has seen some encouraging developments with cease-fire or peace agreements on several long-standing conflicts. Such agreements will nevertheless continue to be fragile without a commitment to address and resolve conflicts, through negotiations rather than force.

## B. Civil society

22. In most refugee and repatriation situations, civil society plays a vital role in the fulfilment of UNHCR's mandate and the implementation of its activities. While NGOs represent the most important group, links with other members of civil society in its broadest sense continue to be forged. The list is long, ranging from academia, to the world of business, arts and politics. Results of these collaborative initiatives are encouraging.

23. NGOs remain UNHCR's traditional partners, and over the years have gained in importance in the field of protection, not least because they offer a range of competencies which complement UNHCR's work. NGOs have proved to be efficient and flexible partners, offering hands-on services in all aspects of field work, from responding to emergencies through camp management to durable solutions. Their relatively less bureaucratic structures enable them to act with speed and adapt rapidly to changing situations in the field. NGOs are also active advocates for compliance with international standards for protection. Local NGOs serve as bridges between UNHCR and host communities, augment the ability to gain access to and monitor the situation of persons of concern, and are key actors in the transition from relief to development.

24. A recent and innovative example of partnership with the business sector was the one formed between UNHCR, IOM and a major corporation, namely

Microsoft, which assisted in developing a computerized registration system in the context of the Kosovo emergency. This system was developed to UNHCR specifications, and opens up new options for registration in situations of mass displacement, allowing field-based verification and simultaneous issuance of identity cards for refugees and returnees.

25. Another example has been that of the Business-Humanitarian Forum, held for the first time in early 1999, organized by UNHCR with the International Rescue Committee, and bringing together leaders of nearly 30 major humanitarian organizations and multinational corporations. The Forum helped build a fledgling partnership between humanitarian organizations and the business community, recognizing that both share the objective of seeing distressed societies become prosperous and democratic. Various areas were identified for joint action, including action to promote democratic governance and effective public administration; building or rebuilding judicial systems; clearing fields of landmines so that agriculture can resume; and ensuring the delivery of basic services and infrastructure.

26. The importance of UNHCR's partnership with NGOs is well illustrated by the Partnership in Action (PARinAC) process of consultations laying a new foundation for cooperation between UNHCR and its NGO partners. It examined operational relationships and criteria for building better, more constructive partnerships and embodied a commitment to improve joint humanitarian action. The process culminated in the Oslo Conference of June 1994, at which the Oslo Declaration and Plan of Action were adopted, containing 134 recommendations, including many on refugee protection as well as NGO-UNHCR partnership. There is wide recognition that PARinAC has been key to strengthening cooperation between UNHCR and NGOs -- who now participate as observers in the work of UNHCR's Standing Committee and the Executive Committee. Follow-up action at the national and regional levels have kept the PARinAC process very much alive. It remains a platform for continuing to review and improve concrete partnerships. Looking towards the year 2000, UNHCR and NGOs are intent on reinvigorating the PARinAC process, so as to better meet the many challenges which lie ahead. A Year 2000 PARinAC Plan is presently being prepared and will include recommendations on improving partnership for protection on the ground.[7] The new Framework Agreement on Operational Partnership (FAOP) is enhancing collaboration not only between NGOs and UNHCR but also between NGOs themselves. The FAOP recognizes the importance of the contribution of all entities working with refugees, as well as the need for a strong partnership to ensure the delivery of effective protection and assistance.

### C. Refugees and others of concern

27. Refugees and other persons of concern are not merely passive recipients of humanitarian assistance. UNHCR's experience has shown that they play important roles in the delivery of protection, assistance and durable solutions, particularly in camp settings. Refugees and other persons of concern are the key sources of information on protection problems and on camp security. With some guidance and training, they are often important partners in UNHCR's efforts to monitor a given situation and provide valuable insights

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[7] Examples of a range of activities that concern refugee children, refugee women and the elderly and involving UNHCR, NGOs and other organizations, such as UNICEF, are provided in recent Notes to the Standing Committee: EC/48/SC/CRP.39; EC/48/SC/CRP.38; EC/49/SC/CRP.22.

needed to design assistance and protection measures. They offer significant support in the delivery and distribution of humanitarian assistance and can help ensure that protection concerns are properly addressed in the management of refugee camps and settlements.

28. Refugee women are actively involved in a wide range of initiatives that concern their human rights, such as recent campaigns in Africa, Latin America and Central Asia. In all these examples refugee women themselves have made their voices heard. They are also making important contributions to conflict resolution and peace building processes in countries such as Eritrea, Ethiopia and Burundi. Their role is also key in all preventive measures designed to diminish the risk of violence and insecurity to which they are exposed. In camps on the western border of the United Republic of Tanzania, for example, a comprehensive programme of prevention and response to sexual and gender violence has been underway over the past eighteen months. The success of this project, which takes a community-based approach, is leading to projects of similar scope in five other countries in West and East Africa. They are based on partnership with refugee women, local police services, NGOs, and staff of humanitarian agencies

## IV. REACHING OUT TO NEW PARTNERS IN SUPPORT OF PROTECTION

29. Since late 1997, UNHCR has been engaged in extensive "Reach Out" consultations aimed at reinvigorating support for the essential institutions of refugee protection -- including the 1951 Convention. These consultations should be seen as part of a process of cementing existing partnerships and creating new ones. Following the first phase of the "Reach Out" consultations, involving in-depth bilateral consultations with a cross section of States Members of UNHCR's Executive Committee, the consultations have been broadened to encompass NGOs and other key non-State actors, including United Nations agencies and bodies, the international financial institutions and the corporate sector, as well as influential members of civil society.[8] The results of these consultations have led to commitments by States in several regions to engage in bilateral diplomacy advocating ratification of the basic international instruments for refugee protection, including those on statelessness.

30. At a time when the institution of asylum is under pressure, partnership has also been sought to stimulate creative ideas in support of protection and promoting a dialogue aimed at strengthening the institution of asylum. A good illustration of this approach to partnership is the series of symposia conducted between 1997 and 1999 on the theme "Challenges to the Institution of Asylum and Refugee Protection - Reconciling State Interests with International Asylum Obligations." The symposia brought together experts on asylum issues in four regions[9] to explore areas of tension between States' interests and their responsibilities for refugee protection, and to identify ways to reconcile these tensions. Partners in this initiative were drawn from a wide range of sectors and disciplines, including representatives from

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[8] An information paper on the "Reach Out" process was made available to the Standing Committee of the Executive Committee at the end of June, and described the manner in which UNHCR is seeking to engage in a dialogue with a range of actors on the unprecedented challenges to its protection mandate.

[9] Southern Africa, North America and Western Europe, South America and the Asia-Pacific region.

governments, international organizations, academic and research institutions, civil society and the private sector.

31. While the issues raised in each symposium varied in important ways, there was significant commonality in the themes discussed. For example, the symposia recognized that "the challenge now is not how to build barriers to keep people out but how to manage refugee and migratory movement in a way that upholds human rights and humanitarian principles while addressing the legitimate concerns of States and receiving communities."[10] Furthermore, UNHCR was strongly counselled to build new constituencies as never before and to broaden the base of these constituencies beyond traditional partners so as to engage civil society in a meaningful and transparent way. This has been one of the primary objectives of the "Reach Out" process.

## V. ENSURING SECURITY

32. Many of the situations triggering displacement are characterized by serious violations of human rights principles and norms and humanitarian law, making physical protection an important component of protection-related interventions. Furthermore, the presence of armed and other elements among genuine refugees has raised the thorny question of how to separate persons not in need of international protection from those who are, in order to maintain the strictly humanitarian character of camps and settlements while enhancing security. Finally, as humanitarian workers are drawn into situations of open conflict or rampant insecurity, their own security needs and measures to address them have come into sharper focus. In some countries, threats to the security of humanitarian workers have led to the partial or total suspension of relief programmes, thereby impeding protection activities as well.

33. In 1998 the Security Council held an Open Debate, initiated by the Republic of Korea, to discuss how to improve protection for humanitarian assistance to refugees and others in conflict situations. This was a very timely debate, recognizing the significant role played by humanitarian actors in international relations and their need for the support of the Security Council. UNHCR took the lead role in drafting the subsequent 'Report of the Secretary-General on Protection for Humanitarian Assistance to Refugees and Others in Conflict Situations', issued in September 1998.[11] It followed an extensive process of consultation with other UN agencies, ICRC and Security Council Member States.

34. Also of relevance in this context was the Regional Meeting on Refugee Issues in the Great Lakes, held in Uganda in May 1998 under the joint aegis of UNHCR and the OAU. Security was high on the agenda, and a consensus was reached that the mixed nature of camps had constituted a threat. It was also acknowledged that humanitarian agencies alone could not confront security problems, and that international support to police forces is important. Participants at the meeting also considered that countries in the region are better suited than traditional multi-national peacekeeping forces when it comes to addressing security situations of this kind.

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[10] It was widely agreed that the best way to buttress the institution of asylum was not to wind back agreed refugee protections but to invest actively, imaginatively and resourcefully in attacking the causes of departure at source, while at the same time making every effort to restore confidence in the asylum system.

[11] S/1998/883

35. UNHCR's recent experiences, not least in the Great Lakes Region, the United Republic of Tanzania and South East Europe, have indeed highlighted the urgency of addressing security issues in refugee camps and settlements. Support to national police in Kenya and the United Republic of Tanzania are examples where UNHCR has provided material support for the deployment of police to ensure law and order in refugee camps. In the case of the United Republic of Tanzania, the police also help to halt activities which are contrary to the 1969 OAU Convention. UNHCR has begun the process of considering various new approaches to camp security which draw on a graduated "ladder of options" concept, and which involve the creation of partnerships between States, United Nations agencies and other actors.[12] One such approach (similar to the current Danish Refugee Council/ Norwegian Refugee Council stand-by arrangement), foresees the identification of national police and/or military entities which may be rapidly deployed to provide security in camps on an emergency basis. A derivative of this model was used in refugee camps in The former Yugoslav Republic of Macedonia, where Swedish police officers were partners with local police to ensure security in the camps. Another option might be the use of stand-by arrangements such as those used by the Department of Peacekeeping Operations (DPKO). Yet another approach might entail an adaptation of the CIVPOL model used in Bosnia and Kosovo that could be applied to policing refugee camps experiencing significant security problems. While these various approaches are geared towards addressing major and conspicuous issues of camp safety, other less publicised forms of insecurity, such as trafficking and violent crime, also need to be addressed.

36. In conflict-weakened States, particularly those experiencing large-scale return movements, partnership in capacity-building schemes to support, train, and monitor the performance of police and other personnel engaged in administering and enforcing the rule of law can lead to an improvement of the security climate and build confidence in return. Peacekeepers can also be important partners in efforts to improve security, particularly by furnishing security-related information needed to assess risks to humanitarian personnel; contributing to the effort to identify, mark or eliminate landmines and unexploded ordinance from returnee areas; and generally contributing to the creation of a climate conducive to return movements.

37. Partnership is also needed to address security risks to humanitarian workers. In Kosovo, UNHCR worked in partnership with United Nations agencies and NGOs to provide important security training aimed at limiting the risks of humanitarian aid workers in both Albania and the Federal Republic of Yugoslavia; participated actively in United Nations security mechanisms at national level; and cooperated with NGOs, OSCE-KVM, local authorities and other actors on arrangements for the security of relief convoys, emergency evacuation arrangements and the sharing of security-related information.

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[12]The "ladder of options" was described in the document entitled "Security and the Civilian and Humanitarian Character of Refugee Camps and Settlements" (EC/49/SC/INF.2), which was considered by the Standing Committee at its fourteenth meeting in February 1999.

## VI. SOME OUTSTANDING QUESTIONS

38. The foregoing discussion has touched on only a few aspects of the complex issues raised by this year's theme and given a limited number of examples of partnership. To help further reflection and debate, the Executive Committee may wish to direct its attention to the following broad questions:

- Why do we need partnerships?
- What are the limits of partnership, particularly when it comes to protection?
- What are the elements of successful partnership?
- What is the impact of partnerships on the ground?

39. While partnership can undoubtedly enhance both refugee protection and security, there are certain limits. In seeking to define the appropriate boundaries of partnership, UNHCR has as its central reference point its mandate and the imperative to preserve the humanitarian and non-political nature of its functions. The mandate for refugee protection is unique to UNHCR, and cannot be delegated. There is therefore a tension between the extent to which UNHCR can and should broaden or reinforce partnerships for protection, while maintaining its unique responsibility. Similarly, the need for UNHCR at all times to maintain its status as a non-partisan and impartial humanitarian actor may militate against partnerships in certain circumstances.

40. Given the multitude of partners now involved in cooperating on issues that impact on refugee protection and security, it is important that each actor fully understands and respects the basic tenets of refugee law, human rights and humanitarian law. In addition, UNHCR's experience shows that the following are some of the elements for successful partnerships:

- The partners reach a consensus, in a timely fashion, that marshalling their efforts to achieve a given objective will be more effective than individual, uncoordinated action.

- A written or tacit agreement sets out the parameters for cooperation, preferably at the field level closest to the persons for whom a protection intervention is felt needed. Such field-level partnership can usefully be supported by agreements at the capital or Headquarters level, addressing broader issues of inter-institutional cooperation.

- Targeted training activities assist both UNHCR and new partners to get acquainted with their respective mandates, working methods and structures.

- Focal points or liaison officers are designated to facilitate effective liaison and ease communication with the appropriate person(s).

- On the basis of its mandate or special expertise, the partner adds value to the protection interventions.

- The partners consult regularly on developments, to identify concrete problems and agree upon remedial action, as well as to assess the effectiveness of protection interventions.

- Partnership is periodically reviewed to identify problems and address them in a collegial and non-controversial manner.

41. Delegations participating in the fiftieth session of the Executive Committee may wish to raise their own experiences and make suggestions on how partnerships can be further expanded or strengthened to ensure an impact on refugee protection and security. The theme is broad, but it is also timely. By identifying practical elements for success, while recognizing certain limitations, the debate offers an opportunity to identify major areas for future development and change, as we enter the new Millennium.

**List of Acronyms**

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| ADB | African Development Bank |
| ABF | Asian Development Fund |
| DPKO | Department of Peacekeeping Operations |
| ECHO | European Community Humanitarian Office |
| IASC | Inter-Agency Standing Committee |
| IDB | Inter-American Development Bank |
| IIDH | International Institute of Human Rights |
| IFAD | International Fund for Agricultural Development |
| IGAD | Intergovernmental Authority on Development |
| ILO | International Labour Organization |
| IOM | International Organization for Migration |
| ISESCO | Islamic Educational, Scientific and Cultural Organization |
| LCI | Liberian Children's Initiative |
| NATO | North Atlantic Treaty Organization |
| OAU | Organization of African Unity |
| OECD | Organization for Economic Cooperation and Development |
| OHCHR | Office of the High Commissioner for Human Rights |
| OIC | Organization of the Islamic Conference |
| OSCE | Organization for Security and Cooperation in Europe |
| SADC | South African Development Community |
| UNAIDS | Joint United Nations Programme on HIV/AIDS |
| UNBRO | United Nations Border Relief Operations |
| UNDP | United Nations Development Programme |
| UNDRO | Office of the United Nations Disaster Relief Coordinator |
| UNESCO | United Nations Educational, Scientific and Cultural Organization |
| UNFPA | United Nations Fund for Population Activities |
| UNICEF | United Nations Children's Fund |
| UNIFEM | United Nations Development Fund for Women |
| UNOPS | United Nations Office for Project Services |
| UNRISD | United Nations Research Institute for Social Development |
| UNSECOORD | Office of the United Nations Security Coordinator |
| UNV | United Nations Volunteers |
| WFP | World Food Programme |
| WHO | World Health Organization |

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/924
28 September 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

# REPORT OF THE FIFTEENTH MEETING OF THE STANDING COMMITTEE (28 June - 1 July 1999)

## I. INTRODUCTION

1. The meeting was opened by the Chairman of the Executive Committee, His Excellency, Ambassador Victor Rodriguez Cedeño (Venezuela), who welcomed the delegation of Mozambique as a newly elected Member of the Executive Committee of the High Commissioner's Programme. He then informed the Standing Committee that delegations of Afghanistan, Burkina Faso, Côte d'Ivoire, Iraq, Malaysia and Kyrgyzstan had requested to participate in meetings of the Standing Committee during 1999 as Observers, and suggested that their participation begin immediately, in line with the Executive Committee's decision on Observer participation taken in 1998 (A/AC.96/911). Delegations agreed to this proposal. Agenda items 4(i)(c) through 4(iii) were chaired by His Excellency, Ambassador Raimundo Pérez-Hernández y Torra (Spain), Vice-Chairman of the Executive Committee.

## II. ADOPTION OF THE AGENDA AND THE REPORT OF THE FOURTEENTH MEETING

2. The agenda (EC/49/SC/CRP.11) was adopted without revision. The *Draft Report of the Fourteenth Meeting* of the Standing Committee (EC/49/SC/CRP.10) was adopted with one correction to paragraph 64, replacing the word "activity" with "captivity" in line four.

## III. ASSISTANT HIGH COMMISSIONER'S STATEMENT

3. In his opening statement, the Assistant High Commissioner updated the Standing Committee on recent developments in UNHCR's operations around the world. They included many new challenges, notably in Kosovo (on which there would be discussions in the course of the meeting) and in parts of Africa. Some encouraging progress had been achieved in Latin America and Europe (also on the meeting's agenda) and in some countries in Asia, but in global terms the Office faced many urgent and outstanding needs. Referring to internal developments in the management of UNHCR, he stated that the new structure announced at the fourteenth meeting was now in place and that a new management structure for Africa had just been endorsed by the Senior Management Committee. He drew attention in conclusion to a worrying

projected shortfall of funds for 1999, appealing to the Standing Committee for its continued support.

## IV. INTERNATIONAL PROTECTION

4. The Director of International Protection's opening statement focused on the quality of asylum today and on the need to find an appropriate accommodation between state interests and state responsibilities.

5. The *Note on International Protection* (EC/49/SC/CRP.12) was introduced by the Chief of the Standards and Legal Advice Section of the Department of International Protection. The quality of the Note and of the other two documents submitted to this Session of the Standing Committee was widely commended by delegations who found them, generally speaking, informative, to the point, and useful particularly for the purposes of drafting of the conclusions.

### A. Note on International Protection

6. A large number of delegations, across the spectrum of Executive Committee membership, participated in the discussions, ensuring a varied and rich exchange of views. The theme of the Note, which was the need for reconciling State interests with internationally assumed responsibilities, evoked particular interest amongst speakers, with all accepting that without a responsible balance between national interests and international responsibilities, refugee protection is in serious jeopardy.

7. The Kosovo drama was an important element in the statements of many delegations. There was a call for a lessons-learned analysis to be undertaken by UNHCR that should include the Humanitarian Evacuation Programme. A number of delegations expressed appreciation for the protection guidelines produced by the Office to facilitate an operational response to important protection problems. Amongst the other points made, it was pointed out that the Kosovo situation had very much captured the public mind in many parts of the world, which was in one sense an opportunity to be capitalized upon to sensitize public opinion to refugee problems and make it more receptive to protection-based responses. The element of burden-sharing in the response to the Kosovo crisis was also one picked up by a number of delegations as an illustration of the capacity of the international community to combine its resources and its efforts towards early solutions. It was highlighted that problems are not so intractable where the will is there to address an issue together in a comprehensive and principled way.

8. It was also pointed out by many delegations that, while Kosovo was very much in the media, there were other very serious protection situations around the world which demanded equally focused and cooperative responses. It was stressed that international efforts to assist refugees and seek solutions to their plight should be equitable and based on human need, regardless of the nationality, race, geographic, political or military importance of the refugee population.

9. Delegations expressed in various ways their concern about the fact that, while asylum is still being made available to the majority of refugees, there was a slow yet noticeable decline in the conditions under which asylum is being offered -- that is, as the Director pointed out in her introductory remarks, in the quality of asylum. This was in fact a main theme binding the documents together at this year's Standing Committee. One delegation noted its concern about refugees becoming victims, through restrictive interpretations and practices, of the very system set up to protect them.

10. The main issues selected by delegations for comment included the need for a law and rights-based approach to refugee protection, as well as the

ongoing significance of the 1951 Convention relating to the Status of Refugees and the 1967 Protocol today as dynamic instruments for refugee protection and the need for further accessions to them, as well as to the statelessness instruments. Delegations commented variously on matters related to temporary and complementary protection, burden-sharing, the use being made of new or developing protection concepts. One delegation endorsed the view that refugee protection is primarily the responsibility of States and is best achieved through effective cooperation among States and UNHCR, adding that bilateral cooperation between concerned States, within the framework of internationally agreed protection principles, should also be welcomed. The problems posed by the arrival of undocumented asylum-seekers were also mentioned. Several delegations expressed particular concern about how to protect the asylum system against abuse by persons who are not generally in need of protection, and even by criminal elements. There was a strong focus in many statements on the problems of women and children, with delegations commending the attention given in the Note to UNHCR's activities to address such problems as sexual violence against women and separations of children. The non-governmental organization (NGO) Observer delegation also welcomed UNHCR's initiatives in this regard and encouraged the Office to further increase the attention paid to these problems, in particular concerning the implementation of guidelines and policies in the field. Several delegations welcomed the establishment of child rights-based performance objectives and called for mainstreaming protection and gender issues into programming and budgets. Another theme of interest to many delegations was the protection of civilians in armed conflicts, especially child soldiers.

11. A number of delegations reported welcome developments including new refugee legislation and consideration being given to accessions to the refugee and statelessness instruments. With respect to the search for solutions, a number of delegations emphasized the distinct nature of the three solutions (voluntary repatriation, resettlement and integration) and reiterated that voluntary repatriation remains the preferred solution in the majority of refugee situations.

12. There was strong support for UNHCR's efforts to strengthen its partnerships on protection, through the Reach Out process and related activities. UNHCR was encouraged to broaden the base of its coalitions for protection. Delegations received with interest the overview of recommendations made during the series of seminars conducted by UNHCR on "Challenges to the Institution of Asylum and Refugee Protection -- Reconciling State Interests with International Asylum Obligations". Several delegations sought further information about the outcome of the seminars.

13. Interest was expressed in there being a heightened focus on protection issues during the fiftieth session of the Executive Committee, and the recommendation was made in this regard that delegations consider making major protection statements during that session.

### B. Detention of Asylum-Seekers and Refugees: The Framework, The Problem and Recommended Practice

14. The Chief of UNHCR's Standards and Legal Advice Section introduced document EC/49/SC/CRP.13. Delegations acknowledged the importance of the subject of detention of asylum-seekers and refugees and expressed appreciation for UNHCR's recently revised Guidelines. A number of speakers reiterated that the starting point should always be the position already agreed upon by the Executive Committee that the detention of asylum-seekers is in principle undesirable and should be avoided. It was observed in this context that detention should only be resorted to when there is a compelling need and where there is no alternative, and even then, for limited periods.

Appreciation was expressed for the stress placed in the paper on the need to avoid arbitrary detention and to ensure that conditions of detention conform with international human rights standards. Other points made by the delegations included the fact that asylum-seekers arrive irregularly should not, by itself, be a reason for keeping them in detention; that monitoring mechanisms in relation to the detention of asylum-seekers, including the implementation of the Guidelines, and exploring alternatives to detention are important; that detention should not result in the splitting of families; and that detained asylum-seekers should have access to legal advice. One intervention sought to clarify that the paper did not refer to the detention of asylum-seekers whose applications had been properly rejected.

### C. Family Protection Issues

15. The document EC/49/SC/CRP.14, was also introduced by the Chief of UNHCR's Standards and Legal Advice Section. There was general recognition that family protection issues are key to the protection of refugees generally, and that the protection of the refugee family is best promoted within a rights-based framework. One delegation emphasised the relevance to this debate of human rights instruments, particularly the Convention on the Rights of the Child. Many speakers affirmed that measures to maintain the unity of the family should be complemented by a generous approach to family reunification when family members are separated. There was a general sense that definitions of the family should be flexible and pragmatic enough to take into account elements of dependence, and to recognise that the head of the family may not always be male or adult. The need for training and sensitization of officials on this issue was stressed. One delegation drew attention to the complex emotive bonds which imbue family relations, and cautioned against viewing family ties as being based on economic dependence alone. Some delegations called for special attention to the place of elderly within the family, and the need to address family protection issues in the context of registration procedures and systems of relief distribution. Support for the paper's position that refugee children should not be adopted during emergencies was expressed. One delegation called for greater clarity on the distinctions being made between family unity and family reunification.

### D. The Conclusions Process

16. It was noted that the documents prepared by UNHCR and the discussions held were very valuable for efforts at the national level to develop positive policies, practices and legislation. Some delegations took the view that the concluding sections of CRP 13 and CRP 14 provided a good basis for Executive Committee Conclusions. Others felt that they were useful for further development into Conclusions, but found the language to be too detailed and prescriptive. It was generally felt that all three conference room papers contain the core elements around which consensus could be developed.

## V. PROGRAMME AND FUNDING

17. Under this agenda item, the Standing Committee gave consideration to an update on UNHCR's programme and funding situation; a strategic oral presentation on the Americas, former Yugoslavia and Europe; a Global Report on UNHCR's activities in 1998; and a draft decision on UNHCR's operational reserve under the proposed new budget structure.

### A. Overall programme and funding projections

18. The review of the programme and funding projections (EC/49/SC/CRP.16) was introduced by the newly appointed Director of the Division of Operational Support and by the Head of the Donor Relations and Resource Mobilization Service. The Director drew attention to the discussion of recent programme

developments (paras. 11-37) in the document before the Committee; this was in response to the wish expressed by the Standing Committee in its deliberations in 1998 on the nature of the budgetary documentation that it wished to consider.

19. She then summarized the results for 1998, under both General and Special Programmes and highlighted how funding restraints had required the reduction of expenditure to meet assessed needs. She also drew attention to the assessed needs for 1999 as set out in Annex 1 to the conference room paper. These figures will need to be reviewed in the light of available resources.

20. The Head of the Donor Relations and Resource Mobilization Service provided delegations with a review of the carry-over of funds from 1998 and updated information on the status of UNHCR's Global Appeal for 1999, including an examination of the impact of the Kosovo crisis on funding requirements for the year. He encouraged delegations to make available predictable and timely contributions to the Office, which would allow for coherent programming throughout the year.

21. In their statements under this item, delegations raised a number of specific questions on programmes. The critical link between funding and programming was recognized. In the light of the likely need to reduce budgets because of funding restraints through a process of prioritization, one delegation asked that Member States be informed of such proposed cuts before they are made. Several delegations drew attention to the low carry-overs and the difficulties this posed for the funding of programmes at the beginning of a year. One delegation suggested that predictable multi-year pledges by donors, namely negotiated pledges, could help in this regard. The need to expand UNHCR's donor base was underlined, as well as the untapped potential for fund raising in the private sector.

22. In response, details were provided by the Director of the Division of Operational Support on funds made available to specific programmes and the sources of these funds. She also confirmed that prior information would be given to donors should it be found necessary to make cuts in any assistance programmes in the course of the year for lack of funding. The Head of the Donor Relation and Resource Mobilization Service thanked the Committee for their various suggestions on ensuring broader and more predictable funding of UNHCR's programmes, recalling that further information consultations were planned to take place in the course of the autumn. He noted that the agenda for these consultations was now somewhat broader than initially foreseen. He also confirmed that a strategy on private sector funding, using past experience, would be formulated before the end of the year.

## B. Americas

23. The Director of the Americas Bureau presented the Standing Committee with an oral strategic report on UNHCR activities in the region. He focused his remarks on UNHCR's objectives in the region, which were being adjusted to the general trend towards greater peace and democratization in the region, and a reduction in the number of refugee-producing situations. These objectives comprise strengthening the protection framework in the region, consolidating durable solutions, promoting public awareness and constituency building.

24. Several delegations referred to the recent incidents of cross-border movement between Colombia and Venezuela, highlighting the need for close cooperation between both Governments to address this problem. The Governments of Colombia and Venezuela were also encouraged to work closely with UNHCR in order to ensure that both the right to seek asylum and the principle of voluntary return are respected. The importance of UNHCR's role

in such situations was stressed, and an invitation was extended to UNHCR to conduct a mission to the region. Delegations were informed of the recent establishment of a bilateral mechanism to respond to the needs of persons implicated in such movements which would, *inter alia*, include cooperation with international humanitarian organizations. An NGO Observer delegation commented that UNHCR should be allowed access to persons concerned, and urged that the displaced persons must be assured the right to seek asylum.

25. The role of UNHCR in Colombia, both in responding to the problem of forced displacement in the country and in upholding the right to seek asylum, was recognized by delegations. UNHCR was encouraged to continue its cooperation with other international organizations, particularly International Committee of the Red Cross (ICRC), in it's operational plan for Colombia. One delegation commended UNHCR for developing its programme in Colombia around "Deng's principles". It was suggested that a regional approach and coordinating strategy could be developed by all parties involved.

26. The conclusion of the Guatemalan repatriation and reintegration programme was welcomed by delegations and described as an example of successful "migration cooperation" between two States, with the support of UNHCR. The importance of including uprooted persons as part of a peace process was recalled. Progress in integrating refugees in Mexico was also welcomed. Delegations expressed interest in participating in the proposed "lessons learned" exercise on the Guatemalan repatriation and reintegration programme. UNHCR was commended, furthermore, for its successful efforts to mainstream gender issues into its work in the region.

27. Delegations voiced support for UNHCR's regional strategy for protection. The need to strengthen the asylum framework was acknowledged, but one delegation mentioned that preventive measures should not be overlooked given the instability which continues to prevail in parts of the region. The recent decision to open a UNHCR Office in Quito was welcomed in this context. Delegations also welcomed the close partnership between UNHCR and civil society in southern South America, as well as the resettlement programmes recently initiated. Appreciation for UNHCR's strengthening of international protection networks in the Caribbean was reiterated.

28. The Director for the Americas welcomed the interest of delegations in participating in the planned evaluation and lessons-learned exercise on UNHCR's Guatemalan repatriation and reintegration programme. With regard to UNHCR's operational plan for Colombia, he recalled that the principles of complementarity and a common approach with other United Nations agencies were key underlying assumptions of the programme. In addition, he drew attention to UNHCR's facilitating role at the request of the United Nations Development Programme (UNDP) Resident Coordinator) and chairing of thematic working groups on internally displaced persons in Colombia. The Director also confirmed UNHCR's willingness to facilitate dialogue with concerned governments on cross-border movements, and welcomed the proposed mission to the region, which he indicated he would be undertaking as soon as possible. The Director underlined that UNHCR shares many of the concerns expressed on the need to uphold asylum principles, but at the same time recognizes the complexity of the situation on the Colombian/Venezuelan border. Through dialogue and goodwill, ways could be found to reconcile protection principles with legitimate concerns of states. Lastly, the Director reiterated the importance UNHCR gave to the accession campaign and efforts to enhance support for the protection strategy adopted for the region.

## C. Former Yugoslavia

29. The acting Coordinator for the Bureau for South Eastern Europe Operations delivered an oral strategic report on the situation in south-eastern Europe, reviewing developments in the region, particularly with regard to the Kosovo emergency. He outlined UNHCR's objectives as lead agency in the region and plans for the coming months, highlighting the challenges posed by the massive, spontaneous movement of refugees and displaced persons back to Kosovo. The facilitation of return and consequent repositioning of resources was being carefully balanced against the needs of persons of concern who choose to remain behind in neighbouring countries and provinces. The acting Coordinator informed delegations that a meeting with Governments on the future of the Humanitarian Evacuation Programme would be convened on 12 July 1999.

30. Delegations acknowledged that there had been criticism in the early stages of the emergency when UNHCR and the international community in general had been overtaken by the scale of the emergency. However, this had given way to an exemplary response, demonstrating a spirit of burden-sharing and international solidarity. It was suggested that it may serve as a model for future international response to crises, in particular the quotas that were offered by countries towards the Humanitarian Evacuation Programme. Delegations stressed, however, that the granting of asylum should not be contingent on offers of third country assistance. It was recognized that the proliferation of so many international actors and the variety of state interests during the early stages of the Kosovo crisis had complicated coordination efforts. Many delegations gave details of the support provided by their Governments to meet the many pressing financial and other needs during the height of the emergency. Delegations agreed that the daunting challenges that the swift and massive return presented to the international community would necessitate improved cooperation and coordination within the United Nations Mission in Kosovo (UNMIK) and between United Nations agencies, NGOs and local partners.

31. The heightened involvement of the military in humanitarian operations was the subject of concern by several delegations, while appreciation was expressed for NATO's timely intervention in assisting the early humanitarian response to the crisis. In this regard, it was emphasized that the delivery of humanitarian assistance activities in Kosovo should remain independent and non-political.

32. It was stressed that attention generated by the Kosovo emergency should not detract from other crises around the world. In the same vein, delegations stated that contributions for Kosovo-related activities should not be to the detriment of programmes elsewhere. UNHCR was encouraged to pay careful attention to balancing its efforts to streamline and downsize, with the financial resources and contingency planning needed to respond effectively to such emergencies. It was suggested that future discussions could take place on this issue. One delegation cautioned UNHCR on the pitfalls of over-extending its capacity and the need to define its involvement, based on mandated responsibilities. The discussion also reflected gratitude for the efficient work of NGOs in the field.

33. Agreement was expressed on the importance of an independent lessons-learned exercise that had been announced by the Assistant High Commissioner and some suggestions were made as to its scope. Delegations also looked forward with interest to the meeting on 12 July 1999, convened by UNHCR, at which the organized return of refugees from third countries would be discussed.

34. Many delegations encouraged humanitarian agencies to address the continuum between relief and reconstruction at an early stage. Utilization of local capacities in this regard was emphasized. A number of delegations voiced appreciation for the continued efforts to register refugees and returnees. One delegation, however, indicated disappointment that registration had begun slowly. Delegations welcomed initiatives by UNHCR and other United Nations agencies on demining and mine awareness issues.

35. The need to establish protection mechanisms to safeguard the interests of minority groups and ensure that equal attention is paid to all ethnic populations in Kosovo was highlighted. Delegations emphasized the need to continue winterization efforts both in neighbouring counties and in Kosovo. Delegations also expressed the need to continue to give priority to the needs of women, children and victims of sexual violence, as well as elderly. Concern was expressed, moreover, that residual refugee caseloads in neighbouring countries should not be forgotten.

36. Responding, the Director of the Division of Communication and Information expressed appreciation for the support widely voiced by the Standing Committee. Careful note had been taken of the concerns expressed on specific aspects of this exceptional and challenging operation, and of the suggestions that had been made as to those that should be included in the evaluation about to start. He also suggested that the issue of UNHCR's emergency capacity, with limited staffing resources, might be the subject of informal consultations. In answer to some of the enquiries made by delegations concerning the distribution of responsibilities between the various agencies, the acting Coordinator for the Bureau for South Eastern Europe Operations referred to the coordination unit set up by the Office for the Coordination of Humanitarian Affairs (OCHA) in Pristina. Another major challenge was that to respond rapidly to reconstruction needs, which was under the responsibility of the European Union.

## D. Europe

37. The Director of the Bureau for Europe presented the strategic objectives of the Bureau, which included the promotion of a coherent and principled approach to asylum policies and practices in Western Europe; assistance to the Central and Eastern European States in establishing and strengthening functioning asylum systems; consolidating the institutional framework and implementation mechanisms and practices in the countries of the Commonwealth of Independent States; the promotion of measures to reduce statelessness; and the promotion of comprehensive and durable solutions for displacement problems in the Caucasus. He then reviewed developments in Western Europe and the European Union harmonization process, specifying the nature of UNHCR's involvement. Work to strengthen asylum systems in Central Europe and the Baltic States was closely tied to the accession process of those States to the European Union, while cooperation with the PHARE programme of the European Union was now well established. The Director noted that in Eastern Europe, there was both progress and problems in the field of asylum, and with regard to statelessness. The CIS Conference Steering Group had decided to form a Working Group to look at some form of continuation of the process beyond the year 2000 which would consolidate the work completed, and help to address outstanding problems. He concluded by outlining efforts by the Bureau to ensure the inclusion of the special concerns of refugee women and children in planning and programming at the country level.

38. Interventions mainly focused on the CIS Conference and the meeting of the Steering Group held one week earlier. Delegations voiced their agreement with the conclusions of that meeting that some form of continuation of the process was needed, and looked forward to a pragmatic approach to the work of the Working Group, and continued engagement by UNHCR in the implementation of

the Programme of Action. One delegation expressed particular encouragement with UNHCR's efforts to involve and hand over activities to development agencies in the region. Approval was expressed with the UNHCR's strategic objectives in Europe and there was acknowledgement of the challenges facing States in dealing with mixed population movements. Support, in particular, was given to the continued dialogue and contribution of UNHCR to the European Union's work, notably preparations for the forthcoming summit in Finland in October, as well as the European Union's High Level Working Group on Migration and Asylum. Several delegations expressed interest in learning more about UNHCR's work in Central Europe and in the conflict resolution processes in Georgia.

39. Responding, the Director of the Bureau for Europe reiterated UNHCR's commitment to the CIS Conference process, which, remained very important in terms of consolidating the progress made. He noted there was a lot of work still to be done. The Director elaborated further on UNHCR's role in Georgia and Central Europe, and confirmed that UNHCR would seek to replicate in other areas of the Caucasus such inter-agency initiatives as had been undertaken in Azerbaijan.

## E. Global Report

40. In a brief statement introducing the Global Report on Activities in 1998, the Director of the Division of Communication and Information recalled the discussions that had taken place on standardizing reporting on programmes, which had resulted in a more rational sequence comprising a Global Appeal, Mid-year Progress Report and Global Report of Activities. Despite the volume of the Global Report now before the Committee, it in fact represented a net reduction since it now combined a series of reports previously issued separately. He regretted that limited staff resources in a period of considerable constraints had led to some delays, which explained the late issue of the Global Report and some imperfections in its content.

41. Several delegations expressed their support for the new standardized approach, welcoming the Global Report as the first attempt to implement the decision taken by the Committee at its fourteenth meeting (EC/49/SC/CRP.10, para. 57). It was felt that the new approach would give increased transparency and allow a better focus on impact and lessons learned. One delegation drew attention, however, to the specific reporting requirements of his Government on the use of earmarked funds. More time was needed to confirm that the new format would meet these requirements.

42. In conclusion, it was agreed that the Secretariat would arrange for further informal discussion of the Global Report in due course, once delegations had had the opportunity to review its contents in greater depth.

## F. Budget structure

43. The Director of the Division of Resource Management recalled that the proposed new budget structure had been shared with the Advisory Committee on Administrative and Budgetary Questions (ACABQ) as suggested at the Standing Committee's fourteenth meeting. The report of the ACABQ was contained in document A/AC.96/900/Add.4, while conference room paper EC/49/SC/CRP.17 provided a summary of issues raised by the ACABQ, together with a draft decision for consideration by the Standing Committee.

44. The Chairman commended the transparency of UNHCR's dialogue with the ACABQ, noting that the latter had endorsed the proposed new budget structure, subject to possible further recommendations in the context of the budget proposals for the year 2000. Several delegations expressed their support for the proposed changes, and for the third option listed by ACABQ concerning the

Operational Reserve, namely that its level should be constituted at ten per cent of the proposed programmed activities in the Annual Programme Budget being submitted for approval.

45. Though pleased with the progress made on the unified budget structure, one delegation noted that further improvements could be made, particularly as regards linking objectives and resources required to meet them, and the impact on activities if there is a reduction in the resources required. Another delegation, while supporting the proposed mode of calculating the Operational Reserve cautioned that the amount should remain within a manageable ceiling. Should this not be the case, further examination would be required. This delegation likewise supported the ACABQ's observation on the issue of tied funding.

46. The Director of the Division of Resource Management acknowledged these various concerns and confirmed that the work on the new budget structure is still in process, and that it is an incremental process to be implemented over the next two years, supported by new computer systems currently under development.

47. At the invitation of the Chair, the draft decision was then adopted (see Annex).

## VI. COORDINATION

48. The Head of Secretariat and Inter-Organization Service (SIOS) provided delegations with an update on work undertaken by coordinating bodies within the United Nations system since her report at the Standing Committee's fourteenth meeting, as well as information on plans for the humanitarian segment of the substantive session of the Economic and Social Council (ECOSOC) to be held in July 1999. Mr. Ross Mountain, Assistant Emergency Relief Coordinator, Office for the Coordination of Humanitarian Affairs, provided further information on coordination within the United Nations, in particular updating delegations on discussions within the Inter-Agency Standing Committee (IASC) and the Executive Committee on Humanitarian Affairs (ECHA) since February 1999 and developments with regard to the humanitarian segment of ECOSOC.

49. In statements under this agenda item, delegations expressed satisfaction with the formulation of the humanitarian segment of ECOSOC. One delegation requested to be informed of UNHCR's expectations for the humanitarian segment of ECOSOC.

50. Delegations were informed that the paper prepared by UNHCR on the Brookings process will be made available during the humanitarian segment of ECOSOC. The Head of SIOS indicated that considerable discussion had been undertaken on the issue of the gap between relief activities and longer-term development, and that there was a need for action to be undertaken on this issue. The Assistant Emergency Relief Coordinator also informed delegations that the issue of the protection of civilians, as well as humanitarian workers, in conflict situations was a concern which had been gaining attention in Security Council debates.

## VII. GOVERNANCE

51. The Standing Committee gave final consideration to the annual theme for the fiftieth session of the Executive Committee, basing its discussion on a draft decision circulated in the room. One delegation proposed to delete the words "including those on related issues by other humanitarian agencies" at the end of the second operative paragraph of the draft text, and this was agreed. Subject to this amendment, the text was approved and appears in

annex, which thus contains the following annual theme for the fiftieth session of the Executive Committee: "Strengthening partnership to ensure protection, also in relation to security".

52. One delegation expressed a preference for the theme topic to have ended after the word "protection" to ensure the clarity of the theme and as a more elegant wording. This concern was echoed by others who hoped that negotiations in the future on the choice of annual theme topics could place a high emphasis on clarity.

## VIII. MANAGEMENT, FINANCE, OVERSIGHT AND HUMAN RESOURCES

### A. Audit follow-up

53. The Director of the Division of Resource Management introduced the item by drawing the attention of the Standing Committee to the document entitled *Audit Follow-up: Financial Management and Programme Management* (EC/49/SC/CRP.18) and to the *Report of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to the General Assembly at its Fifty-third session* (A/AC.96/901/Add.2). He explained that the former paper came at the end of the audit cycle, and provided the Standing Committee with further information on follow-up to the 1997 audit report. The full response to the auditors had already been provided to the Standing Committee as A/AC.96/901/Add.1. The Director went on to note an improvement in the receipt of audit certificates since the audit report, pointing out that the overall percentage had increased to 68.7 per cent, comprising government partners (56.3 per cent), international NGOs (82.6 per cent) and national NGOs (52.3 per cent).

54. One delegation expressed concern that there still appeared to be delays in the receipt of reports (sub-project monitoring reports and audit certificates) from implementing partners, and enquired as to impact of newly-established NGO database and other measures. The delegation expressed satisfaction that the issue of income recognition had been carefully studied and looked forward to further consultations on this issue, as required. Concern was expressed at the cut back in activities for refugee children and the apparently low priority given to this issue. Another delegation sought clarification regarding cooperation between UNHCR and the United Nations Environment Programme (UNEP) on environmental issues.

55. In his response, the Director of the Division of Resource Management noted that UNHCR had means other than audit certificates for the oversight of activities of implementing partners, and that no additional funds were released until UNHCR was assured of the proper use of the previous instalment. On the issue of cooperation with UNEP, the Deputy Director of the Division of Operational Support gave examples of shared environmental assessments in Nepal, the United Republic of Tanzania and Kenya. UNEP is also active on the Steering Committee of an important UNHCR project which identified best environmental management practices in refugee-hosting areas. The Deputy Director informed delegations that UNHCR was attempting to mainstream activities for children into general activities, thus ensuring their funding under the annual programme as core activities rather than through Trust Funds.

### B. Update on change management

56. Introducing an *Update on the Change Management Process* (EC/49/SC/CRP.19), the Deputy Director of the Division of Operational

Support, drew attention to a number of specific aspects of the work underway, both under the new Operations Management System (OMS) framework, and the Integrated Systems Project (ISP), designed to provide the necessary information technology support.

57. Further explanations were requested notably with respect to the estimated time needed to complete all the change initiatives, the level of impact which had been achieved in the area of programming and protection as a result of the introduction of the first set of changes, and the link between strategic planning and evaluation. Some clarifications were also sought as to the new approach to the postings and promotions of internationally recruited staff and to their contractual status. Some concern was expressed at the possible impact of the change process on the work and morale of the staff.

58. In response, the Deputy Director informed delegations that it was recognized that the change project is taking time to complete and implement, mentioning that this is linked to the complexity of the environment in which UNHCR operates, as well as the wide scope of the change initiatives. He explained that specific steps, such as the purchase and installation of software, or the elaboration of guidelines and manuals, are easier to put in place than changes in established processes and in the culture of the organization. Further, delegations were informed that the changes in the programming instructions issued earlier in 1999 relate to the submission of plans by field offices for the year 2000, and it will therefore only be possible to measure a real impact as these plans are implemented. With regard to the link between strategic planning and evaluation, it was noted that the main focus in the new planning framework is on the setting of objectives, performance indicators and related outputs. The Deputy Director hoped that these changes will make it easier to evaluate progress and overall impact. Regular self-evaluation exercises will also form part of the new framework. Meanwhile, he reiterated that it is important that there should be a sustained commitment to the change management process.

59. On the new human resources management policies, the Director of the Division of Resource Management specified that the proposed changes in the postings and promotions process had been approved by the Joint Advisory Committee, reviewed and endorsed by the Senior Management Committee and was expected to be signed by the High Commissioner within days. He explained that while the new contract is classified as an "indefinite contract", it should be understood as a contract which is not timebound, but which is subject to UNHCR's operational needs, the performance of the staff member, and the level of financial resources available to cover staff costs, thereby allowing UNHCR to maintain flexibility to contract and expand according to its operational needs. On the question of the effects of so many changes on UNHCR's staff morale, it was acknowledged that the organization had not been very successful in communicating a clear vision to the staff of the scope of the change process and that this, together with downsizing of operations and other developments, had caused some unnecessary anxiety and frustration among UNHCR staff. He informed delegations that an evaluation of various change initiatives undertaken by the organization was under consideration as part of the Evaluation Unit's coming workplan. This could shed light on their impact on staff.

## IX. ANY OTHER BUSINESS

60. There being no further business, the Chairman closed the meeting.

DECISIONS ADOPTED BY THE STANDING COMMITTEE AT ITS FIFTEENTH MEETING

I. DECISION ON THE STRUCTURE OF THE ANNUAL PROGRAMME BUDGET

*The Standing Committee,*

*Noting* the Report of the ACABQ on UNHCR's proposed budget structure (A/AC.96/900/Add.4),

(a) *Requests* UNHCR to proceed with the preparation of the Annual Programme Budget for the year 2000 according to the prototype submitted;

(b) *Decides* to adopt a single Operational Reserve constituted at ten per cent of the proposed programmed activities in the Annual Programme Budget being submitted for approval.

II. DECISION ON THE ANNUAL THEME OF THE FIFTIETH SESSION OF THE EXECUTIVE COMMITTEE

*The Standing Committee,*

*Recalling* the decision taken at the forty-sixth session of the Executive Committee that the General Debate will be discontinued and replaced by a debate on a focused annual theme to be selected in consultation with the High Commissioner and the Standing Committee at a meeting held at least three months before the annual plenary session (A/AC.96/860, para. 32(h)),

*Recalling that*, based on a decision by the Standing Committee of the Executive Committee at its twelfth meeting, the annual theme debated at the forty-ninth session of the Executive Committee was "International Solidarity and Burden-Sharing in all its Aspects: National, Regional and International Responsibilities for Refugees";

(a) *Decides that* the annual theme to be discussed at the fiftieth session of the Executive Committee will be "Strengthening partnership to ensure protection, also in relation to security";

(b) *Considers that* the debate on the annual theme should be conducted, *inter alia*, on the basis of relevant work undertaken at the inter-sessional meetings of the Standing Committee, including in respect of international protection, as well as of previous conclusions of the Executive Committee and other relevant documents or studies;

(c) *Requests* the High Commissioner to submit to the plenary session appropriate background documentation to provide a broad framework for the debate.

**UNITED NATIONS**

**A**

**General Assembly**

Distr.
GENERAL

A/AC.96/925
4 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

# REPORT ON THE WORK OF THE STANDING COMMITTEE

## I. INTRODUCTION

1. At its forty-ninth session in October 1998, the Executive Committee adopted a decision on the programme of work of the Standing Committee in 1999 (A/AC.96/911, paragraph 25) in which it set out the issues to be examined by the Standing Committee.

2. In accordance with Executive Committee Working Methods adopted at the forty-sixth session (A/AC.96/860, paragraph 32), the Standing Committee held three meetings over the past year: in February, June and September 1999, as well as an extraordinary meeting in December 1998. A planning meeting of Executive Committee members in December 1998 established the calendar of meetings and determined the distribution of the different agenda items (see Annex I). Members of the Executive Committee, in acknowledgment of the need for multi-year planning, also took note of the programme of work of the Standing Committee for the years 2000 and 2001 (Annex 1).

3. A detailed account of the work undertaken at each of the meetings of the Standing Committee is contained in the following reports: A/AC.96/912: *Report of the Extraordinary Meeting of the Standing Committee (8 December 1998)*; A/AC.96/913: *Report of the Fourteenth Meeting of the Standing Committee (9-11 February 1999)*; A/AC.96/924: *Report of the Fifteenth Meeting of the Standing Committee (28-30 June and 1 July 1999)*; A/AC.96/927: *Report of the Sixteenth Meeting of the Standing Committee (29-30 September 1999)*.

Issues covered by the Standing Committee in 1999

4. The work undertaken by the Standing Committee included a number of recurrent items. As foreseen in the Decision on Budget Structure and Governance (A/AC.96/860, paragraph 22(1)), in-depth reviews of UNHCR programmes and activities in different regions were conducted at each of the meetings, allowing the Standing Committee to oversee the evolution of General and Special Programmes in the areas concerned. Africa and Central Asia, South West Asia, North Africa and the Middle East were reviewed in February; Europe, former Yugoslavia and the Americas in June; and Asia and the Pacific in September.

5. In addition, the Standing Committee considered at each of its meetings regular updates on overall programme and funding issues, through which it was kept abreast of the situation in terms of General and Special Programme budgets, funding, and allocations made from the various funds (programme reserve, emergency fund and voluntary repatriation fund). The Standing Committee in February also considered a proposal for a new UNHCR budget structure, the result of consultations with Members and Observers of the Standing Committee in 1998 and early 1999. In line with the decision of the Standing Committee taken in February on the standardization of UNHCR reporting (A/AC.96/913), it also reviewed a Global Report on UNHCR's activities in 1998 in June and a Mid-Year Progress Report on UNHCR activities in the first half of 1999 in September.

6. At its various meetings, the Standing Committee also reviewed programme/protection policy issues. In February it followed-up on issues arising from the plenary debate on the annual theme in 1998 and considered recent developments in UNHCR's involvement in reintegration, as well as the safety of humanitarian operations. In September, it reviewed UNHCR's efforts on behalf of refugee women and looked at UNHCR's emergency preparedness and response capacity and the economic and social impact of massive refugee populations on host developing countries, as well as other countries.

7. In accordance with Executive Committee Working Methods (A/AC.96/865, paragraph 32(d)), the June meeting of the Standing Committee focused particularly on questions of international protection. Two days were devoted to consideration of the Note on International Protection (A/AC.96/914), which focused on admission and asylum, groups with special protection needs, the protection of refugees caught in conflict situations, the search for durable solutions and global partnership for international protection. In addition, issues relating to detention and family protection were reviewed. Conclusions resulting from the Standing Committee's consideration of these protection issues are being submitted to the fiftieth session of the Executive Committee for adoption.

8. At each meeting of the Standing Committee, an oral report was provided on coordination issues within the United Nations system. This included information on developments with regard to the Humanitarian Segment of the Economic and Social Council, the Inter-Agency Standing Committee, the Executive Committee on Humanitarian Affairs and the Administrative Committee on Coordination.

9. In terms of issues of management, finance, oversight and human resources, in February the Standing Committee examined the safety and security of staff, the standardization of reporting and a review of the evaluation function in UNHCR. In June it reviewed issues relating to programme and financial management, and was provided with an update on UNHCR's change management initiatives. In September, a revision to UNHCR Financial Rules was considered and an update was provided on the independent evaluation of UNHCR emergency preparedness and response capacity to the Kosovo refugee crisis.

10. In line with Executive Committee working methods, the Standing Committee undertook the selection of the annual theme for the fiftieth session of the Executive Committee during its two sessions in February and June, adopting the theme of "Strengthening Partnership to Ensure Protection, also in Relation to Security".

11. In addition, in September, the Standing Committee undertook a preliminary review of the budgetary and financial documentation being presented to the fiftieth session of the Executive Committee.

Standing Committee decisions

12. In accordance with the authority vested in it by the Executive Committee, the Standing Committee adopted a number of decisions on matters included in its programme of work. The texts of these decisions are annexed to the reports of the different Standing Committee meetings, as follows:

A/AC.96/912: *Report of the Extraordinary Meeting of the Standing Committee (8 December 1999)*

- Decision on Non-Governmental Organization (NGO) Observer Participation in the work of the Executive Committee of the High Commissioner's Programme and its Standing Committee

A/AC.96/913: *Report of the Fourteenth Meeting of the Standing Committee (9-11 February 1999)*

- Decision on the Standardization of UNHCR Reporting

A/AC.96/924: *Report of the Fifteenth Meeting of the Standing Committee (28-30 June and 1 July 1999)*

- Decision on the Structure of the Annual Programme Budget
- Decision on Annual Theme of the Fiftieth Session of the Executive Committee

A/AC.96/927: *Report of the Sixteenth Meeting of the Standing Committee (28-30 September 1999)*

- Decision on UNHCR Financial Rules

Plenary decisions: preparation of drafts by the Standing Committee

13. On the basis of discussions undertaken in the course of the year, and in accordance with the Executive Committee's working methods, the Standing Committee initiated the preparation of draft decisions and conclusions for submission to the fiftieth session of the Executive Committee. In a series of informal consultations under the chairmanship of the Rapporteur, the following draft decisions and conclusions have been discussed;

- General Conclusion on International Protection (item 5[1])
- General Decision on Programme, Administrative and Financial Matters (item 5)
- Conclusion on the Follow-up to the CIS Conference (item 5)
- Decision on Programme of Work of the Standing Committee in 2000 (item 8)
- Decision on Government Observer Participation in 1999-2000 (item 8)
- Decision on the Provisional Agenda of the Fifty-first Session (item 9)

[1] Numbers refer to items on the agenda of the fiftieth session of the Executive Committee.

# CALENDAR

EXECUTIVE COMMITTEE STANDING
COMMITTEE WORK PROGRAMME FOR 1999

| | 14th Meeting<br>9-11 February | 15th Meeting<br>28-30 June and 1 July | 16th Meeting<br>28-30 September |
|---|---|---|---|
| **PROGRAMME AND FUNDING** | • Update on Programmes and Funding; including an oral strategic presentation on: Africa and CASWANAME<br>• UNHCR's New Budget Structure | • Update on Programmes and Funding; including an oral strategic presentation on: Europe and the former Yugoslavia, and the Americas<br>• Global Report | • Annual Programme Budget, including addenda on programmes and funding and the Report of the ACABQ<br>• Oral strategic presentation on Asia and the Pacific<br>• Mid-Year Progress Report |
| **INTERNATIONAL PROTECTION*** | | • Note on International Protection<br>• Detention<br>• Family Protection Issues | |
| **PROTECTION/PROGRAMME POLICY** | • Follow-up to Annual Theme<br>• Reintegration: Recent Developments<br>• Safety of Humanitarian Operations, including Follow-up to the Secretary-General's Report on Africa | | • Refugee Women<br>• Progress Report on UNHCR's Emergency Preparedness and Response Capacity<br>• Social and Economic Impact of Massive Refugee Populations on Host Developing Countries, as well as Other Countries |
| **COORDINATION** | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) |
| **GOVERNANCE** | • Selection of Annual Theme for the Fiftieth Session of the Executive Committee | • Selection of Annual Theme for the Fiftieth Session of the Executive Committee | |

* Under this item in June, the Standing Committee will be presented with a Progress Report on UNHCR Activities in the Field of Statelessness

| | 14th Meeting<br>9-11 February | 15th Meeting<br>28-30 June and 1 July | 16th Meeting<br>28-30 September |
|---|---|---|---|
| **MANAGEMENT, FINANCE, OVERSIGHT AND HUMAN RESOURCES** | • Safety and Security of Staff<br>• Standardization of Reporting<br>• Update on Evaluation | • Follow-up to the Report of the Board of Auditors<br>• Update on Change Management | • Voluntary Funds Administered by the High Commissioner: Accounts for the year 1998<br>• UNHCR Inspection and Evaluation Activities<br>• Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds Administered by UNHCR for the period ended December 1998<br>• Measures Taken or Proposed in Response to the Recommendations in the Report of the Board of Auditors<br>• Revision of UNHCR Financial Rules<br>• Progress report on the independent evaluation of UNHCR emergency preparedness and response capacity to the Kosovo refugee crisis |

**Fiftieth Session of the Executive Committee**
**4 - 8 October**

# CALENDAR

EXECUTIVE COMMITTEE STANDING
COMMITTEE WORK PROGRAMME FOR **2000**

10 December 1998

| | **17th Meeting January/February** | **18th Meeting June/July** | **19th Meeting September/October** |
|---|---|---|---|
| **PROGRAMME AND FUNDING** | • Update on Programmes and Funding; including an oral strategic presentation on: Africa and CASWANAME<br>• Statistics | • Update on Programmes and Funding; including an oral strategic presentation on: Europe and the former Yugoslavia, and the Americas<br>• Global Report | • Overview of UNHCR Activities including addenda on expenditure; review of budgetary and post requirements; Report of the ACABQ; Donor Contributions<br>• Update on Programmes and Funding; including an oral strategic presentation on Asia and the Pacific<br>• Mid-Year Progress Report |
| **INTERNATIONAL PROTECTION** | | • Note on International Protection<br>• Two protection specific items to be decided upon** | |
| **PROTECTION/PROGRAMME POLICY** | • Follow-up to Annual Theme<br>• Reintegration: Recent Developments; Elaboration of Guidelines<br>• Refugee Children<br>• Elderly Persons | | • Environmental Issues<br>• Spontaneous Repatriation<br>• Local Integration |
| **COORDINATION** | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report)<br>• UNHCR Lead Agency Role | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) |

| | 17th Meeting<br>January/February | 18th Meeting<br>June/July | 19th Meeting<br>September/October |
|---|---|---|---|
| **GOVERNANCE** | • Selection of Annual Theme for the Fifty-first Session of the Executive Committee | • Selection of Annual Theme for the Fifty-first Session of the Executive Committee | |
| **MANAGEMENT, FINANCE, OVERSIGHT AND HUMAN RESOURCES** | • Safety and Security of Staff | • Follow-up to the Report of the Board of Auditors | • Voluntary funds administered by the High Commissioner: Accounts for the year 1999<br>• UNHCR Inspection and Evaluation Plan and Activities<br>• Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds Administered by UNHCR for the period ended December 1999<br>• Measures Taken or Proposed in Response to the Recommendations in the Report of the Board of Auditors |

**Fifty-first Session of the Executive Committee**
**October**

# CALENDAR

EXECUTIVE COMMITTEE STANDING
COMMITTEE WORK PROGRAMME FOR 2001

| | 20th Meeting<br>January/February | 21st Meeting<br>June/July | 22nd Meeting<br>September/October |
|---|---|---|---|
| **PROGRAMME AND FUNDING** | • Update on Programmes and Funding; including an oral strategic presentation on: Africa and CASWANAME | • Update on Programmes and Funding; including an oral strategic presentation on: Europe and the former Yugoslavia, and the Americas<br>• Global Report | • Overview of UNHCR Activities including addenda on expenditure; review of budgetary and post requirements; Report of the ACABQ; Donor Contributions<br>• Update on Programmes and Funding; including an oral strategic presentation on Asia and the Pacific<br>• Mid-Year Progress Report |
| **INTERNATIONAL PROTECTION** | | • Note on International Protection<br>• Two protection specific items to be decided upon | |
| **PROTECTION/PROGRAMME POLICY** | • Follow-up to Annual Theme<br>• Refugee Women | | • Progress Report on UNHCR's Emergency Preparedness and Response Capacity |
| **COORDINATION** | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) | • Update on Coordination Issues, including ECOSOC Humanitarian Segment and IASC/ECHA/ACC (oral report) |
| **GOVERNANCE** | • Selection of Annual Theme for the Fifty-second Session of the Executive Committee | • Selection of Annual Theme for the Fifty-second Session of the Executive Committee | |

| | 17th Meeting<br>January/February | 18th Meeting<br>June/July | 19th Meeting<br>September/October |
|---|---|---|---|
| **MANAGEMENT, FINANCE, OVERSIGHT AND HUMAN RESOURCES** | • Safety and Security of Staff | • Follow-up to the Report of the Board of Auditors | • Voluntary funds administered by the High Commissioner: Accounts for the year 2000<br>• UNHCR Inspection and Evaluation Plans and Activities<br>• Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds Administered by UNHCR for the period ended December 2000<br>• Measures Taken or Proposed in Response to the Recommendations in the Report of the Board of Auditors |

| Fifty-second Session of the Executive Committee<br>October |
|---|

STANDING COMMITTEE DOCUMENTATION ISSUED DURING 1999

**Extraordinary Meeting (8 December 1999)**

| | |
|---|---|
| EC/49/SC/CRP.1 | Review of Non-Governemental Organization (NGO) participation in the work of the Executive Committee and its standing committee |

**14th Meeting (9-11 February)**

| | |
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| EC/49/SC/CRP.2 | Provisional Annotated Agenda |
| EC/49/SC/CRP.3 | Draft Report of the Extraordinary Meeting of the Standing Committee (8 December 1998) |
| EC/49/SC/CRP.4 | Overall Programme and Funding Projections for 1998 and 1999 |
| EC/49/SC/CRP.5 | Consultations on UNHCR's Budget Structure |
| EC/49/SC/CRP.6 | Reintegration: A Progress Report |
| EC/49/SC/CRP.7 | Progress Report on the Consultations on the Standardization of UNHCR Reporting |
| EC/49/SC/CRP.8 and Add.1 | Enhancement of the Evaluation Function in UNHCR |
| EC/49/SC/CRP.9 | Standing Commitee Work Programme for 1999 |
| EC/49/SC/INF.1 | Follow-up to the Annual Theme of the Forty-ninth Session of the Executive Committee |
| EC/49/SC/INF.2 | The Security, and Civilian and Humanitarian Character of Refugee Camps and Settlements |
| EC/49/SC/INF.3 | Safety and Security of Staff |

**15th Meeting (28 June-1 July)**

| | |
|---|---|
| EC/49/SC/CRP.10 | Draft Report of the Fourteenth Meeting of the Standing Committee (9-11 February 1999) |
| EC/49/SC/CRP.11 | Provisional Annotated Agenda |
| EC/49/SC/CRP.12 | Note on International Protection |
| EC/49/SC/CRP.13 | Detention of Asylum-Seekers and Refugees: The Framework, the Problem and Recommended Practice |
| EC/49/SC/CRP.14 | Family Protection Issues |
| EC/49/SC/CRP.15 | Progress Report on UNHCR Activities in the Field of Statelessness |

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|---|---|
| EC/49/SC/CRP.16 | Update on Programme and Funding Projection for 1999 |
| EC/49/SC/CRP.17 | ACABQ Report on UNHCR's Proposed Budget Structure |
| EC/49/SC/CRP.18 | Audit Follow-up: Financial Management and Programme Management |
| EC/49/SC/CRP.19 | Update on the Change Management Process |

**16th meeting (28-30 September 1999)**

| | |
|---|---|
| EC/49/SC/CRP.20 | Draft Report of the Fifteenth Meeting of the Standing Committee |
| EC/49/SC/CRP.21 | Provisional Annotated Agenda |
| EC/49/SC/CRP.22 | Refugee Women and a Gender Perspective Approach |
| EC/49/SC/CRP.23 | UNHCR's Emergency Preparedness and Response Capacity |
| EC/49/SC/CRP.24 | Social and Economic Impact of Massive Refugee Populations on Host Developing Countries, as well as other Countries: Addressing the Gaps |
| EC/49/SC/CRP.25 | Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees |

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/AC.96/926
4 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

AGENDA

1. Opening of the session

2. Election of officers

3. Adoption of the agenda and other organizational matters

4. Annual theme: Strengthening Partnership to Ensure Protection, also in Relation to Security

5. Reports on the work of the Standing Committee

   (a) International protection

   (b) Programme, administrative and financial matters

6. Consideration and adoption of programme budgets

7. Reports relating to programme oversight

8. Meetings of the Standing Committee in 2000

9. Consideration of the provisional agenda of the fifty-first session of the Executive Committee

10. Any other business

11. Adoption of the report of the fiftieth session of the Executive Committee

12. Closure of the session

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General Assembly

Distr.
GENERAL

A/AC.96/927
5 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

# REPORT OF THE SIXTEENTH MEETING OF THE STANDING COMMITTEE (28-29 September 1999)

## I. INTRODUCTION

1. The meeting was opened by the Chairman of the Executive Committee, His Excellency, Ambassador Victor Rodriguez Cedeño (Venezuela). He informed the Standing Committee that delegations of Honduras and Sri Lanka had requested to participate in meetings of the Standing Committee during 1999 as Observers, and suggested that their participation begin immediately, in line with the Executive Committee's decision on Observer participation taken in 1998 (A/AC.96/911). Delegations agreed to this proposal. Agenda items 3, 6 and 7 were chaired by His Excellency, Ambassador Raimundo Pérez-Hernández y Torra (Spain), Vice-Chairman of the Executive Committee.

## II. ADOPTION OF THE AGENDA AND THE REPORT OF THE FIFTEENTH MEETING

2. The agenda (EC/49/SC/CRP.21) was adopted without revision. The *Draft Report of the Fifteenth Meeting* of the Standing Committee (EC/49/SC/CRP.20) was adopted with one amendment to paragraph 52.

## III. INTRODUCTION OF THE NEW DEPUTY HIGH COMMISSIONER

3. The Assistant High Commissioner introduced the new Deputy High Commissioner, Mr. Frederick Barton, who has assumed his new functions as of August 1999. The Assistant High Commissioner informed delegations that the Deputy High Commissioner had come to UNHCR with substantial experience in the private and public sector, as well as most recently, in a key position in the United States Agency for International Development. His past responsibilities, coupled with his thorough knowledge of many of the regions where UNHCR operates, were welcomed as a great asset to the work of the Office.

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4. The Deputy High Commissioner then briefly addressed the Committee, stating that it was a great honour to have joined UNHCR. He said that refugee work was a most noble undertaking and expressed deep appreciation for the opportunity to help advance the cause of the uprooted. Likewise, he looked forward to being part of UNHCR's senior management. During this initial period, he explained that he would focus on becoming familiar with the work and issues facing UNHCR. He also looked forward to listening to the views of the delegations at the Standing Committee and engaging in a constructive dialogue with them.

5. The Chairman of the Executive Committee took the opportunity to welcome the new Deputy High Commissioner on behalf of all the Members of the Committee and assured him of their full support.

## IV. PROGRAMME AND FUNDING

6. Under this agenda item, the Standing Committee gave consideration to an update on UNHCR's programme funding situation, a strategic oral presentation on Asia and the Pacific, and a Mid-Year- Progress Report on UNHCR's activities in the first half of 1999. In their statements, delegations welcomed the new Deputy High Commissioner.

### A. Update on programme funding

7. The Head of the Donor Relations and Resource Mobilization Service provided an update on the situation of UNHCR programme funding. He began by reviewing the status of funding of UNHCR's operations for the current year, including revisions to budgetary requirements, and ended with a forecast for the remaining part of the year and for the year to come. In concluding, the Head of the Donor Relations and Resource Mobilization Service urged donors to pay projected contributions as soon as possible to enable the Office to continue implementing essential programmes. The Chairman expressed concern over the funding situation of the Office and appealed to delegations to facilitate a more predictable and stable level of funding for UNHCR's programmes. Early and predictable funding would ease the transition to the new unified budget in 2000.

8. Delegations taking the floor expressed a common understanding that current and projected funding shortfalls both for General and Special Programmes are a cause for concern. Delegations recognized that the predictability, timeliness and quality of contributions have an impact on UNHCR programmes. The strong focus on the Kosovo crisis has placed huge demands on all concerned, and delegations urged that attention be given to other programmes, including in Africa. Several delegations announced important contributions.

9. One delegation commented in detail on the 1998 *Global Report* and while being appreciative of its form and contents, suggested that more emphasis be placed on the impact of programmes, their evolution, progress made, constraints and lessons learned. Another delegation pointed at the need to expand the donor base so as to enlarge the ownership of the Office.

10. Responding, the Head of the Donor Relations and Resource Mobilization Service expressed gratitude for the encouraging interventions as well as the confirmation of substantial contributions, most of which, he clarified, are

already part of UNHCR's funding projections. He expressed UNHCR's intention to make the next *Global Report* less focused on facts and more on impact. An effort to move in this direction is already demonstrated in the presentation of the UNHCR Annual Programme Budget for the year 2000. The Chairman added that issues related to resource mobilization for the unified budget, the *Global Report* and *Mid-Year Progress Report* will be subject to further consultations later in the year.

## B. Asia and the Pacific

11. The Director for the Bureau for Asia and the Pacific provided a summary of recent developments concerning the crisis in East Timor and UNHCR's role and activities in response. He also expressed the Office's satisfaction concerning the successful return of 264 Lao residents of Ban Napho camp in Thailand, which took place on 28 September 1999.

12. Many delegations pointed to the East Timor crisis as the most significant protection challenge in the Asia-Pacific region in recent times, and expressed concern at the forced displacement of East Timorese to West Timor and the role of the militias in this regard. They welcomed the role of UNHCR in the Timor operation and the rapidity of the Office's response, as illustrated by the recent visit of the High Commissioner to Indonesia. Delegations also expressed their appreciation for the commitments made by the Government of Indonesia in regard to UNHCR's activities in relation to the Timor crisis. Some delegations announced their intention to contribute financially to the operation and called for an early launch of the consolidated appeal in this regard. Other delegations requested clarification concerning the coordination framework within which the United Nations, international organizations and non-governmental agencies would operate. The importance of the issue of the security of humanitarian personnel involved in this operation, was also emphasized by many delegations.

13. Concern was expressed by some delegations regarding the residual refugee populations in the region, notably the Vietnamese in the Hong Kong Special Administrative Region of China and the indigenous Muslim population from northern Rakhine State of Myanmar in Bangladesh. Calls for an early solution to the situation of these populations were also made. Many delegations also referred to the importance of burden-sharing in respect to refugee populations on the region.

14. UNHCR activities in relation to refugees on the Thailand/Myanmar border and the successful conclusion of the repatriation of Cambodian refugees from Thailand were also commended by certain delegations. Other delegations welcomed the progress made by the Asia-Pacific Consultations (APC) and the forthcoming sub-regional meetings to be convened by this forum. Satisfaction was also expressed by certain delegations with respect to the International Symposium on Migration and its Bangkok Declaration.

15. The Assistant High Commissioner then offered several comments on the issue of security. He informed delegations that since the discussion on security in refugee populated areas at the Standing Committee meeting in February 1999, UNHCR had continued a useful dialogue with various Governments and partners, as well as with the United Nations in New York on this issue. In this context, UNHCR was very pleased that many of the ideas originally put

forward by the High Commissioner were reflected in the latest Report by the Secretary-General to the Security Council on the protection of civilians in armed conflicts.

16. Increasingly it was felt within UNHCR that the focus, however, should not be restricted to security inside refugee camps, but should encompass security in the wider context of refugee and returnee populated areas. It was often because of security problems around camps that insecurity spread to the camps themselves. The Assistant High Commissioner reiterated that providing security was primarily a State responsibility. This was an aspect which, for example, the High Commissioner had stressed in her recent discussions with the Indonesian Government in Jakarta in relation to the displaced persons in West Timor. Linked to this, there were situations in which States were not fully capable of ensuring security for refugees. It was in such cases that UNHCR felt it could play a useful role in cooperation with relevant partners.

17. With regard to the "ladder of options", UNHCR had recently made efforts to implement this concept, most notably in the context of the Kosovo emergency. In view of the insecurity in Kukes, northern Albania, for example, many of the refugees had been relocated away from the border. In The former Yugoslav Republic of Macedonia, in agreement with the Government, UNHCR had deployed a number of international monitors seconded by Sweden to the refugee camps. The deeper UNHCR examined the issue of the ladder of options, however, the more convinced it became that the real challenge was for the Office to link up with all its concerned partners to develop and operationalize the middle options, such as deployment of monitors or observers and use of stand-by security arrangements. The Assistant High Commissioner informed delegations that the High Commissioner would elaborate on this matter in her opening address to the plenary session of the Executive Committee on 4 October 1999.

## C. Mid-Year Progress Report

18. The Director of the Division of Communication and Information introduced the *Mid-Year Progress Report*, stating that it provided a broad overview of UNHCR's activities in the first half of the year, with figures provided as of 30 June 1999 for both General and Special Programmes. He described the Report as part of a new trilogy of reports prepared by UNHCR which also included the *Global Appeal* and the *Global Report*. He expressed hope that this new system of reporting on UNHCR's programmes would provide a more timely review of UNHCR's activities during the year, allowing donors to make funding decisions in the latter part of the year.

19. General support for the recently initiated process of reporting on UNHCR activities was voiced, although a request was made to receive documentation earlier so that it could be examined in more detail before being considered in the Standing Committee. Delegations suggested that the relation between outputs and results achieved should be more clearly indicated, as well as a greater focus on achievements which were linked to budgets and expenditure and an indication of the consequences of shortfalls in funding targets. Efforts to prioritize programmes also needed to be more clearly indicated in the document and it was suggested that levels of funding should be presented in percentages. The sections on women, children and the environment were welcomed by delegations. Some delegations expressed concern over the

country-specific text in the document. Inconsistencies in the presentation of financial data were also pointed out.

20. In replying to comments by delegations the Director stated that the *Mid-Year Progress Report* was a "working document", giving a snapshot of UNHCR activities in the first half of the year which could be compared against the *Global Appeal*. It was not an overview of all of UNHCR's activities. He said that greater focus on achievements would be incorporated in future Reports. He informed delegations that financial data inconsistencies were largely due to difficulties in tracking General Programme expenditure, but that the new unified budget format would facilitate better monitoring and improvements should be seen over the next two years with the implementation of the Operations Management System.

## V. PROTECTION/PROGRAMME POLICY

21. Under this agenda item, the Standing Committee had before it three documents for discussion, *Refugee Women and a Gender Perspective Approach* (EC/49/SC/CRP.22), *UNHCR's Emergency Preparedness and Response Capacity* (EC/49/SC/CRP.23) and *Social and Economic Impact of Massive Refugee Populations on Host Developing Countries, as well as other Countries: Addressing the Gaps* (EC/49/SC/CRP.24).

### A. Refugee women

22. The Director of the Division of Operational Support introduced this item, drawing attention to the related document, EC/49/SC/CRP.22.

23. Delegations welcomed the report on activities for refugee women and gender mainstreaming, commending UNHCR on adopting a progressive gender approach in order to promote equality between refugee women and men, girls and boys. Several delegations reminded the Standing Committee that promoting a gender equality perspective does not imply an end to projects targeting refugee women

24. Strong support for a revision of the Policy on Refugee Women to include the recommendations contained in the 1995 Beijing Platform for Action and the 1997 Economic and Social Council report on gender mainstreaming was expressed. Reference was made to the Policy on Gender and Humanitarian Crisis developed by the Inter-Agency Standing Committee (IASC). Several delegations also expressed support for revising the Guidelines on the Protection of Refugee Women to more adequately address domestic violence against refugee women. Guidance on gender based persecution as a basis for claiming asylum was also requested by several delegations.

25. Building a culture of accountability was highlighted and delegations noted the importance of gender sensitive performance indicators and dissemination of lessons learned as tools to assist staff to meet their responsibilities to refugee women. Several delegations looked forward to reports on progress made under the Kosovo Women's Initiative.

26. Some delegations expressed concern that current budgetary constraints might negatively impact programmes for refugee women. They noted that improved mainstreaming in existing programmes will ensure that refugee women and men are equally protected and assisted.

27. An update on the strategy for mainstreaming a gender equality perspective, as well as, responses to shortcomings identified in the March 1999 Survey on Compliance with UNHCR's Policy Priorities, was requested by two delegations.

B. UNHCR's emergency preparedness and response capacity

28. This item was presented by the Director of the Division of Operational Support. In her initial statement, she drew attention to the conference room paper entitled *UNHCR's Emergency Preparedness and Response Capacity* (EC/49/SC/CRP.23). She also introduced the newly appointed Chief of the UNHCR's Emergency Preparedness and Response Section. The new Chief of Section underlined the importance of training in maintaining a response capacity and gave a brief account of the recent Workshop on Emergency Management training held in Denmark from 19 to 27 September 1999.

29. UNHCR was commended by several delegations for the mechanisms already in place to respond to emergencies. Some delegations, however, expressed concern that UNHCR had not been adequately prepared for the Kosovo operation. The fact that UNHCR could not be expected to adequately prepare for emergencies if funds were not in place to provide for stockpiles and ensure capacity was stressed by one delegation. The need for better use of available external resources was also underlined.

30. Several delegations asked UNHCR to give a higher priority to developing a more effective "early warning system". The importance of the collection of information, analysis and the development of response models, including new models for pragmatic responses to different situations now confronting the international community, was stressed. The need for contingency plans covering a range of scenarios was underlined. Delegations emphasized the importance of collecting data in areas considered to be "high risk". The need for preventive action was raised by a number of delegations. Several delegations spoke of UNHCR's need to increase its visibility and to ensure better coordination. The importance of strengthening local capacity was also emphasized. Delegations spoke of their desire to strengthen their partnership with UNHCR and accepted the offer of the Director for more discussion on the subject.

C. Social and economic impact of massive refugee populations on host developing countries, as well as other countries

31. The conference room paper *Social and Economic Impact of Massive Refugee Populations on Host Developing Countries, as well as Other Countries: Addressing the Gaps* (EC/49/SC/CRP.24) was introduced by the Director of the Division of Operational Support. The Director pointed out that the paper should be read in conjunction with two papers submitted to previous Standing Committee meetings: *Social and Economic Impact of Large Refugee Populations on Host Developing Countries* (EC/47/SC/CRP.7, presented to the sixth meeting of the Standing Committee in January 1997) and *Economic and Social Impact of Massive Refugee Populations on Host Developing Countries, as well as other Countries: A Quantitative Assessment on the Basis of Special Case Studies* (EC/48/SC/CRP.40, presented to the thirteenth meeting of the Standing Committee in September 1998).

32. A number of delegations observed that voluntary repatriation should remain the preferred durable solution and as such should receive adequate international attention and support. Furthermore, some delegations stressed that local integration, which they viewed as a difficult and complex issue, should not be seen as an alternative to voluntary repatriation.

33. Several delegations also observed that the gap between relief and development is not the only one that requires addressing, stating that it is of paramount importance to also focus on the root causes of the problem as an essential preventive measure. It was felt that the international community should likewise be engaged in addressing this gap.

34. Many delegations expressed support for the two-pronged approach proposed by UNHCR in the conference room paper and acknowledged that the impact-related rehabilitation element should be systematically presented as an integral part of country assistance development plans. It was also recognized that a comprehensive regional and integrated approach would best address the gaps between refugee aid and development.

35. Numerous delegations further noted that the above challenges and objectives require stronger resource mobilization, given the increasingly heavy burdens that developing countries have to shoulder in hosting massive refugee populations. There was, therefore, general agreement that through its catalytic role, UNHCR should support host governments in bringing in development partners -- both bilateral and multilateral -- at the earliest stage of refugee situations, and establishing the necessary linkages and mechanisms to address the impact issues. One delegation stressed the necessity of close coordination between partners at all stages to avoid duplication of efforts.

36. Concerns were also voiced by a number of delegations regarding the uneven response of the international community to refugee situations, along with regret over the lack of funding, especially when it is attributed to political reasons. With these concerns in mind, several delegations expressed their support for the Brookings Process, which aims, *inter alia*, to address this "level-of-interest `gap'" on the part of the donor community.

37. Support was also expressed by many delegations for the ad hoc meeting proposed in the conference room paper, with the understanding that this should not replace the discussions in the Standing Committee. In this connection, it was proposed by several delegations that the subject matter should remain on the agenda of the Executive Committee, and that the time has come to translate rhetoric into concrete action.

## VI. COORDINATION

38. The Head of the Secretariat and Inter-Organization Service provided an oral update on developments in inter-agency coordination within the United Nations system for the period from June to September 1999. She highlighted the recent work of the main inter-agency bodies and drew attention to the linkage between their activities and the work of the Standing Committee. Delegations were informed of preparations for the Fall 1999 session of the Administrative Committee on Coordination (ACC), as well as the IASC. An update on the work of the Executive Committees for Humanitarian Affairs (ECHA) and for Peace and Security (ECPS) was provided, noting that these

Committees had held several meetings since June 1999 on a number of regional situations, including Kosovo, Angola, East Timor and Sierra Leone. UNHCR had been actively involved in these discussions. UNHCR also closely monitored the discussions during the Humanitarian Segment of the Economic and Social Council and the follow-up to the Agreed Conclusions of the Segment and was in the process of determining its role within the IASC and the ACC with regard to this follow-up process.

## VII. MANAGEMENT, FINANCE, OVERSIGHT AND HUMAN RESOURCES

39. The Director for the Division of Resource Management provided delegations with a general introduction to this agenda item. He drew attention to and commented on the various documents before the Standing Committee.

### A. Finance and oversight

40. The Director presented the *Voluntary Funds Administered by the High Commissioner: Accounts for the Year 1998* (A/AC.96/915). He noted that the Office had received a positive, unqualified certification from the Board of Auditors (*Audit Opinion* (A/AC.96/915/Add.1)).

41. In relation to the *Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds Administered by UNHCR for the period ended December 1998* (A/AC.96/917), the Director drew attention to the principal recommendations of the Board as found in paragraph 12 of its Report. UNHCR actions to date to follow up these recommendations were set out in *Measures Taken or Proposed in Response to the Recommendations in the Report of the Board of Auditors* (A/AC.96/917/Add.1).

42. In their comments on this agenda sub-item, delegations expressed appreciation of the work of the Board of Auditors. The need for the Standing Committee to keep under review, in the course of the coming year, the issues raised by the Auditors and UNHCR's follow-up to the recommendations was emphasized. More specifically, delegations expressed concern about some of the specific recommendations, in particular, the non-compliance by implementing partners with audit certification requirements, staffing levels, outstanding travel claims and the slow progress in relation to a number of Project Delphi recommendations. The need for UNHCR to develop a strategy, in consultation with the Board of Auditors, to ensure better compliance by implementing partners in the area of audit certification was stressed by several delegations. In his reply to delegations, the Director informed delegations that there had been a marked improvement in the receipt of audit certificates over the past year.

### B. Financial rules

43. In introducing this item, the Director for the Division of Resource Management stated that in light of a new unified budget, single operational reserve and Board of Auditors recommendations, new financial rules had been formulated. The proposed changes were to be found in bold print in document EC/49/SC/CRP.25. These financial rules had been reviewed and endorsed by the Office of Internal Oversight Services and had been submitted to the Advisory Committee on Administrative and Budgetary Questions (ACABQ).

44. Delegations expressed general satisfaction with the proposed amendments. One delegation raised a number of issues, including the level of the Working Capital and Guarantee Fund and procedures for handling end of year balances of Supplementary Programmes.

45. Subject to the satisfactory resolution of these issues and the incorporation of the amendments suggested by the Standing Committee members, the related draft decision was adopted (Annex).

## C. Annual Programme Budget

46. This agenda item was introduced by the Director of the Division of Resource Management and the Director of the Division of Operational Support, who drew attention to UNHCR's Annual Programme Budget for the year 2000 (A/AC.96/916) and Addendum 1. Delegations were informed that Addendum 1 represents an update of the budget document. The tables in the main budget document present figures as of 31 May 1999. Addendum 1, in addition to presenting needs for the Kosovo emergency and Zambia, updates the tables of the main budget document to 1 August 1999. In addition, the Standing Committee had the report of the ACABQ on the budget (A/AC.96/916/Add.2).

47. In the initial statements by the two Directors, it was stressed that this first presentation of a unified budget was a "work in progress". The comments of the ACABQ on the structure of the document and the need for a document with more concise and focused narrative (A/AC.96/916/Add.2, paragraph 4) were highlighted.

48. Attention was also drawn to the level of the proposed Annual Programme budget for the year 2000, as found in the draft decision (A/AC.96/916/Add.1, paragraph 7(c)); the proposed Annual Programme budget for the year 2000 amounted to $ 933,553,000. The ACABQ in its Report had concluded that the projections were realistic and, therefore, had not proposed any adjustment to the programme budget (A/AC.96/916/Add.2, paragraphs 13 and 32).

49. In addition to approving the 2000 Annual Programme Budget, the Executive Committee will be asked to approve the revised 1999 General Programmes budget (A/AC.96/916/Add.1, paragraph 7(d)) amounting to $ 413 million, the same as that approved last year by the Executive Committee. The various budget lines that go to make up this total, however, have been adjusted in accord with the authorization given by the Executive Committee to the High Commissioner.

50. Delegations in their interventions expressed appreciation for the new budget document. One delegation was of the opinion that any review of the structure of the document should take into account the other related documentation now available to the Standing Committee, namely the *Global Appeal*, the *Global Report* and the *Mid-Year Progress Report*. Several delegations expressed regret that the budget document did not indicate priorities among the programmes included in the budget. In addition to leaving donors uncertain about such priorities, the lack of stated priorities could encourage donors to earmark their contributions. One delegation also noted that the budget still did not present a budget line for the delivery of international protection. A number of delegations asked that within the proposed budget level, more resources be allocated for activities related to refugee women, children/adolescents and evaluation. One delegation felt that the budgetary requirements for the South-Eastern Europe operation needed to

be reviewed. Another delegation felt that there was an inconsistency in statistics in one instance. Given the importance that should be attached to redressing the social and economic impact of large refugee influxes on host countries, one delegation asked that an additional objective be added to the country presentation.

## VIII. UPDATE ON KOSOVO EVALUATION

51. The Assistant High Commissioner made a few brief remarks on the independent Kosovo evaluation. As an initial comment, he recognized that all concerned actors involved in the Kosovo emergency (Governments, United Nations, NGOs and even the North Atlantic Treaty Organization (NATO)) were taken by surprise by the reaction of the Government of the Federal Republic of Yugoslavia to the NATO bombing campaign and, most notably, by the speed, dimension and nature of the forced displacement of people. The initial response of the international community -- including that of UNHCR -- had therefore been somewhat slow and confused. He underlined that UNHCR had originally decided to launch an independent Kosovo evaluation in late May 1999, at a time when the Office was involved in three major operations and dealing with the huge influx of Kosovars into the neighbouring countries, as well as planning for winterization and return. This decision was then formally presented to the Standing Committee in June this year.

52. The Assistant High Commissioner said that from the very outset, UNHCR had made it clear that it wished this to be an independent evaluation. Moreover, UNHCR felt strongly that it should not be an academic exercise aimed at assigning fault or credit but, rather, an exercise that would enable the international community -- and not least UNHCR -- to draw the necessary lessons so that it could respond faster and more effectively to future emergencies. In this context, the evaluation was considered to be a forward-looking undertaking.

53. The Assistant High Commissioner then gave a short update on the work and proposed timetable for the evaluation, as follows:

- This was an independent evaluation, funded and facilitated by UNHCR. Team members were identified on the basis of their independence, evaluation expertise, understanding of refugee issues and familiarity with the Balkans. Nationality and gender considerations were also taken into account. In view of the limited time available to establish the evaluation team, competitive bidding was not undertaken. No restrictions would be placed on the work of the team, and UNHCR would not have the right to edit or amend the text of the evaluation report.

- The decision to commission the independent evaluation was taken in late May 1999, and the terms of reference were drafted by early June 1999. Identification and recruitment of the team members was undertaken in mid and late June 1999. The team started work in Geneva on 4 July 1999. Three weeks were spent collecting relevant documentation and interviewing UNHCR staff, other agencies and permanent missions. After leaving Geneva the team also undertook interviews and data collection in Brussels, New York and Washington. The team travelled to the Balkans on 19 September 1999 and visited Albania, Kosovo, The former Yugoslav Republic of Macedonia and Montenegro. They would soon visit Rome and Vienna. The team had agreed to the request made by some Executive

Committee Members to give an informal briefing on their work at 9 a.m. on 7 October 1999. The briefing would take place on the margins of the fiftieth plenary session of the Executive Committee, but would not be part of its agenda as such. The team would then undertake additional interviews in London on 20 and 21 October 1999.

- The team would then present its preliminary findings and recommendations to a meeting of IASC and Humanitarian Liaison Working Group members at a two-day "stakeholder" meeting in Geneva on 11 and 12 November 1999. They would then prepare and present their final report to the High Commissioner. This was originally scheduled to be issued by the end of the year, but the team has requested an extension until February 2000.

54. The Assistant High Commissioner explained that, since the idea of the evaluation had arisen, the scope of the planned undertaking had increased substantially and now a much more comprehensive exercise was foreseen. Needless to say, this would require more time and work than originally planned. It would therefore also cost more. In this context, UNHCR hoped that Member States would be receptive to appeals for additional financial support. If this was not forthcoming, other evaluations planned over the coming months may suffer for lack of sufficient resources.

55. One delegation asked whether the independent evaluation would address and make recommendations on the application of international protection principles. The Assistant High Commissioner responded that, indeed, the exercise was expected to address protection aspects -- such as admission to safety, security at the borders, the Humanitarian Evacuation Programme, reception of refugees in Europe, etc. -- which were a key aspect of the Kosovo emergency operation. He added that by next week the Terms of Reference of the independent evaluation team would be shared with Members of the Executive Committee.

56. Another delegation expressed disappointment that the independent evaluation could not be completed before the plenary session of the Executive Committee, stating that this would have been a very appropriate opportunity to discuss the conclusions and recommendations of the evaluation. It was hoped that the exercise could be finalized as soon as possible. This concern regarding the delayed issuance of the evaluation was echoed by another delegation and added that they looked forward to working closely with UNHCR to improve the Office's emergency preparedness and response capacity. It was pointed out that UNHCR had been the subject of some criticism in the context of the Kosovo emergency operation and, therefore, it was considered particularly important that a fair and neutral evaluation of the operation be carried out. The conclusions of the exercise would be important in helping to enhance the emergency response of the international community.

57. In response, the Assistant High Commissioner stressed that UNHCR also shared the impatience of some Member States. At the same time, however, there was a need to be realistic. A truly independent and comprehensive evaluation took time. Moreover, he recalled that this evaluation had been originally activated at the time of a massive influx and, since then, UNHCR had been grappling with the return of some 800,000 Kosovars. It had therefore been very difficult to accelerate the process. He appealed for understanding from Governments.

58. In conclusion, the Chairman made a few remarks regarding his recent visit to Albania and The former Yugoslav Republic of Macedonia in July 1999. The objective had been to obtain a first-hand impression of the situation on the ground, as well as to convey a message of solidarity to the asylum countries and thank them for their generosity in receiving such large numbers of refugees. He will be presenting his report on the mission at the forthcoming plenary session of the Executive Committee.

## IX. ANY OTHER BUSINESS

59. One delegation took the floor to express thanks to UNHCR, donor governments, the Government of Mexico, non-governmental organizations and the refugees themselves in facilitating the completion of the repatriation programme to Guatemala. The international community was urged to assist in developing the zones of return and ensure the durability of return.

60. The Chairman thanked the delegation for bringing this important solution of a refugee problem to the attention of the Standing Committee. There being no further business, the Chairman closed the meeting.

DECISION ADOPTED BY THE STANDING COMMITTEE AT ITS SIXTEENTH MEETING

I. DECISION ON THE FINANCIAL RULES

*The Standing Committee,*

Having considered the revisions of the Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees, set out in conference room paper EC/49/SC/CRP.25,

Endorses the revised Financial Rules to be promulgated by the High Commissioner on 30 September 1999, with effect from 1 January 2000.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/928
13 October 1999

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Fiftieth session

# REPORT OF THE FIFTIETH SESSION OF THE EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

(Geneva, 4-8 October 1999)

GE.99-04727

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(Geneva, 4-8 October 1999)


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# I. INTRODUCTION

## A. Opening of the Session

1. The Executive Committee of the High Commissioner's Programme held its fiftieth session at the Palais des Nations in Geneva from 4 to 8 October 1998. It was opened by the outgoing Chairman, Mr. Victor Rodriguez Cedeño (Venezuela).

2. Mr. Cedeño said that his two year's membership of the Bureau of the Executive Committee had been among the most enriching experiences of his career.

3. His visit to Africa in his capacity as Chairman had given him invaluab first-hand knowledge of the day-to-day realities of UNHCR's admirable work the field coordinating action to alleviate the suffering of refugees, returnees and local populations. His mission had also helped him to better understand the complexity of the refugee problem. The international community and UNHCR, entrusted with the mandate of protecting and assisting refugees, must not only seek to cope with emergencies as they arise, but above all to prevent their occurrence by favouring economic development and social stability within countries of origin, and by assisting and cooperati with host countries.

4. The Executive Committee must guide and support UNHCR in its efforts t achieve greater efficiency of its management, and rationalize its structure and budgetary procedures. The Committee must also reflect on how it might improve its own working methods, in order to reach more concrete conclusion and decisions and find a more dynamic approach that would facilitate the development of international law, rather than simply reaffirming establishe norms and principles.

## B. Election of Officers

5. Under Rule 10 of Rules of Procedure, the Committee elected the following officers by acclamation:

| | |
|---|---|
| Chairman: | Mr. Raimundo Pérez-Hernández y Torra (Spain) |
| Vice-Chairman: | Mr. Ali Khorram (Islamic Republic of Iran) |
| Rapporteur: | Mr. Pablo Chelia (Argentina) |

## C. Representation on the Committee

6. The following members of the Committee were represented at the sessio

Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Brazil, Canada, China, Colombia, Democratic Republic of the Congo, Denmark, Ethiopia, Finland, France, Germany, Greece, Holy See, Hungary, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Lebanon, Lesotho, Madagascar, Morocco, Mozambique, Namibia, Netherlands, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Russian

Federation, South Africa, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States, Venezuela.

7. The Governments of the following States were present as observers:

Afghanistan, Albania, Angola, Armenia, Azerbaidjan, Bahrain, Benin, Belarus, Bhutan, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Central African Republic, Chili, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Dominican Republic, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Gabon, Georgia, Ghana, Guatemala, Guinea, Honduras, Indonesia, Iraq, Iceland, Kazakhstan, Kenya, Kyrgizstan, Kuweit, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malawi, Mali, Malta, Mexico, Myanmar, Nepal, New-Zealand, Niger, Oman, Panama, Paraguay, Peru, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saoudi Arabia, Senegal, Sierra Leone, Slovakia, Slovenia, Sri Lanka, Syrian Arab Republic, Swaziland, Tadjikistan, The former Yugoslav Republic of Macedonia, Turkmenistan, United Arab Emirates, Ukraine, Uruguay, Yemen, Zambia, Zimbabwe.

8. Palestine was represented as an observer.

9. The European Commission, the Council of the European Union, the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies (IFRC) and the Sovereign Order of Malta were also represented as observers.

10. The United Nations system was represented as follows:

United Nations Office at Geneva (UNOG), Office of the United Nations High Commissioner for Human Rights (ONCHR), Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA) World Food Programme (WFP), United Nations Centre for Human Settlements (Habitat), United Nations Institute for Training and Research (UNITAR), Food and Agriculture Organization of the United Nations(FAO), United Nations Research Institute for Social Development (UNRISD), International Labour Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), World Health Organization (WHO), World Meteorological Organization (WMO), United Nations Industrial Development Organization (UNIDO).

11. The following intergovernmental organizations were represented by observers:

League of Arab States, Organization of African Unity (OAU), Organization of the Islamic Conference (OIC), Council of Europe, Organization for Security and Co-operation in Europe (OSCE), International Organization for Migration (IOM).

12. A total of 145 non-governmental organizations were represented by observers.

D. Adoption of the Agenda and other Organizational Matters

13. The Executive Committee adopted the following agenda by consensus:

1. Opening of the session

2. Election of officers

3. Adoption of the agenda and other organizational matters

4. Annual theme: Strengthening partnership to ensure protection, also in relation to security

5. Reports on the work of the Standing Committee

   (a) International protection; and

   (b) Programme, administrative and financial matters

6. Consideration and adoption of programme budgets

7. Reports relating to programme oversight

8. Meetings of the Standing Committee in 2000

9. Consideration of the provisional agenda of the fifty-first session of the Executive Committee

10. Any other business

11. Adoption of the report of the fiftieth session of the Executive Committee

12. Closure of the session

E. Opening Statement by the Chairman of the Executive Committee

14. The incoming Chairman, Mr. Raimundo Pérez-Hernández y Torra thanked Member delegations for their confidence, the outgoing Chairman for his invaluable assistance, and the High Commissioner for her enlightened guidance.

15. UNHCR's fiftieth anniversary offered a unique opportunity to take stock of lessons learned from the past to build future action. He hoped that the anniversary would stir governments, international organizations, non-governmental organizations as well as civil society to renewed efforts on behalf of refugees the world over. Three issues must be given full attention for the months and years to come: the security of humanitarian staff as precondition to their operational engagement; the respect of human rights as a means of prevention; and the careful monitoring of humanitarian assistance in ongoing conflicts, including protracted crises in Asia and particularly in Africa.

16. The Executive Committee should have as short-term priorities the encouragement of accession to the basic conventions, and response to current conflicts including crises which did not receive attention from the media. Medium and long-term priorities were essentially two-fold: to continue the process of internal reform that had already begun; and to improve cooperation and communication between Governments and civil society, including NGOs, the media, commercial enterprises and regional and local associations, in transmitting the message on behalf of refugees and in mobilizing the necessary funds.

17. The Executive Committee should also consider ways and means of giving fresh impetus to its work, possibly by making more use of informal consultations and by conducting seminars and brainstorming exercises on questions of structural or topical interest.

18. The Chairman then presented a report on his mission to Albania, The former Yugoslav Republic of Macedonia and Kosovo in early July 1999. The report, providing an account of the programme of the mission and sharing reflections on various aspects of the crisis, was made available to the Executive Committee.

## II. WORK OF THE FIFTIETH SESSION

19. The High Commissioner delivered an opening statement to the Executive Committee, which is reproduced in Annex II. The Chairman's Summary of agenda item 4 is contained in Annex III. The full account of the deliberations of the Committee, including the statements or other interventions made by delegations on all the agenda items of the meeting, as well as the closing statements by the Chairman and the High Commissioner, are contained in the summary records of the session.

## III. DECISIONS AND CONCLUSIONS OF THE EXECUTIVE COMMITTEE

### A. Conclusions on International Protection

#### 1. General Conclusion on International Protection

20. The Executive Committee,

The protection situation

(a) Strongly *deplores* the serious breaches of internationally recognized rights of refugees, asylum-seekers and other persons of concern over the past year, and remains particularly preoccupied that systematic violations of human rights, blatant disregard of international humanitarian law, and policies of wholesale expulsions of populations and "ethnic cleansing" have caused significant displacement both internally and across borders in many regions of the world;

(b) *Reaffirms* relevant Conclusions, notably Conclusion No. 81 (XLVIII), para (j), in which the heavy burden carried in particular by developing countries is recognized; and *notes* with appreciation that a large number of developing countries, countries in transition and other countries with limited resources, which, due to their location, host large numbers of

refugees and asylum seekers, continue to grant asylum and protection to refugees in accordance with international law and established principles and standards;

(c) *Reaffirms* its Conclusion No. 85 (XLIX), para (o), committing itself to uphold the principle of international solidarity and burden-sharing; *expresses* strong appreciation for instances where those principles were put into concrete action during the past year; and further *encourages* States and UNHCR to continue their efforts to give wider effect to these important principles;

(d) *Recognizes* that the presence of massive refugee populations in urban and rural areas in developing countries puts considerable strain on the economy and environment of these countries, and that increased attention should be paid to alleviate this negative impact; and *calls* on UNHCR to play its catalytic role to mobilize assistance from the international community to address environmental degradation in refugee-hosting areas as well as the economic and social impact of large-scale refugee populations;

(e) *Welcomes* the accession of Georgia and Kazakhstan to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, bringing to 138 the number of States parties to one or both of these instruments; and *encourages* UNHCR and States to strengthen their efforts to promote broader accession to these instruments and full implementation of them;

The refugee protection framework

(f) *Reaffirms* that the 1951 Convention relating to the Status of Refugees and the 1967 Protocol remain the foundation of the international refugee regime; *recognizes*, however, that there may be a need to develop complementary forms of protection, and in this context, *encourages* UNHCR to engage in consultations with States and relevant actors to examine all aspects of this issue;

(g) *Reaffirms* Conclusion No. 85 (XLIX) para. (d), and *calls on* all interested parties to turn concentrated attention towards revitalizing old partnerships and building new ones in support of the international refugee protection system, in a spirit of international solidarity and burden-sharing;

(h) *Notes* that the 50th anniversary of the Geneva Conventions on the law of armed conflict is being commemorated this year; *calls on* States and other parties to armed conflicts scrupulously to observe international humanitarian law; and also *calls on* UNHCR to strengthen further its collaboration with the International Committee of the Red Cross, the International Federation of the Red Cross and Red Crescent Societies, and national Red Cross and Red Crescent societies;

(i) *Notes* that the 30th anniversary of the OAU Convention governing the specific aspects of refugee problems in Africa is also being commemorated this year; *acknowledges* the contribution made by this Convention to the development of regional standards for the protection of refugees; and *encourages* UNHCR to continue its close collaboration with the Organization of African Unity with a view to enhancing the protection of refugees in Africa;

Access to protection

(j) *Reiterates* that the institution of asylum is of crucial importance to the international protection of refugees; *re-emphasizes* the importance of ensuring access to asylum procedures; *recalls* Conclusions No. 15 (XXX) of 1979 and No. 58 (XL) of 1989 on refugees without an asylum country and irregular movement of asylum-seekers; and *affirms*, in this regard, that notions such as "safe country of origin", "internal flight alternative" and "safe third country", should be appropriately applied so as not to result in improper denial of access to asylum procedures, or to violations of the principle of *non-refoulement* ;

(k) *Acknowledges* the need for States to address the problem of misuse or abuse of refugee status determination procedures, both at the national level and through international cooperation, and *urges* States to ensure that national law and administrative practices, including migration control measures, are compatible with the principles and standards of applicable refugee and human rights law, as set out in relevant international instruments;

(l) *Reaffirms* Conclusion No. 58 (XL) on irregular movements; *notes* with concern that refugees who have already found and continue to enjoy protection in a first country of asylum continue to move in an irregular manner to other countries on a significant scale; and *encourages* UNHCR, States and other relevant actors to enhance cooperation to address the causes of such movements, in particular with a view to ensuring treatment of asylum-seekers and refugees in accordance with the highest possible standards of protection in first countries of asylum, and to creating awareness as to the risks and dangers linked to irregular movements, notably exploitation by traffickers; and further *encourages* UNHCR to work with transit and destination countries to ensure that the protection and assistance needs of such asylum-seekers and refugees are met;

(m) *Recalls* Conclusion No. 15 (XXX) relating to refugees without an asylum country, Conclusion No. 30 (XXXIV) on the problem of manifestly unfounded or abusive applications for refugee status or asylum, and Conclusion No. 58 (XL) on the problem of refugees and asylum-seekers who move in an irregular manner from a country in which they had already found protection; and *invites* UNHCR to continue to study the issues arising from the concept of manifestly unfounded claims and to report to this Committee in due course;

Special protection needs

(n) *Notes* with appreciation special efforts by States to incorporate gender perspectives into asylum policies, regulations and practices; *encourages* States, UNHCR and other concerned actors to promote wider acceptance, and inclusion in their protection criteria of the notion that persecution may be gender-related or effected through sexual violence; further *encourages* UNHCR and other concerned actors to develop, promote and implement guidelines, codes of conduct and training programmes on gender-related refugee issues, in order to support the mainstreaming of a gender perspective and enhance accountability for the implementation of gender policies;

(o) *Calls on* States to promote and protect the human rights of all refugees; *expresses* its particular and deep concern that refugees with special protection needs, including refugee women and children, are increasingly targets of exploitation, forced military service and various forms of violence; and *calls* on States to tailor their protection responses accordingly;

(p) Taking into account that elderly refugees are particularly affected by social disintegration, chronic dependency and other adverse aspects of the refugee condition, *calls* on States, UNHCR and other concerned actors to make renewed efforts to ensure that the rights, needs and dignity of elderly refugee are fully respected and addressed through appropriate programme activities;

Security of refugees

(q) *Recalls* United Nations Security Council resolution S/RES/1208 (1998); *remains* gravely preoccupied with the continuing occurrence of military or armed attacks and other threats to the security of refugees, including the infiltration of armed elements in refugee camps and settlements; *re-emphasizes* the responsibility of States, working, where appropriate, with UNHCR in collaboration with each other and with other parts of the UN system, to uphold the civilian and humanitarian character and to ensure the security of refugee camps and settlements, *inter-alia*, by identifying and separating armed elements from refugee populations and settling refugees in secure locations; and *encourages* States and UNHCR, in collaboration with each other and with other parts of the UN system, to continue their efforts to enhance the security and civilian nature of refugee camps and settlements;

Durable solutions

(r) *Reaffirms* that voluntary repatriation, local integration and resettlement are the traditional solutions for refugees, and that all remain viable and important responses to refugee situations; *reiterates* that voluntary repatriation, where and when feasible, remains the preferred solution in the majority of refugee situations; and *notes* that a combination of solutions, taking into account the specific circumstances of each refugee situation, can help achieve lasting solutions;

Stateless persons and internally displaced persons

(s) *Notes* with concern the persistence of statelessness problems; *welcomes* the accession of Chad to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as the accession of St Vincent and the Grenadines and Zimbabwe to the 1954 Convention relating to the Status of Stateless Persons; and *encourages* UNHCR to continue to promote further accessions to and full implementation of both instruments by the States concerned;

(t) *Recalls* Conclusion No. 75 (XLV) on internally displaced persons; *takes note* of resolution 53/125 adopted by the United Nations General Assembly in December 1998; *reiterates* the relevance of the *Guiding Principles*

*on Internal Displacement*,[1] and *reaffirms* its support for UNHCR's role with internally displaced persons on the basis of criteria specified by the General Assembly;

2. Conclusion on the Protection of the refugee's family

21. The Executive Committee,

(a) *Reaffirms* Conclusion No. 9 (XXVIII), Conclusion No. 24 (XXXII), Conclusion No. 84 (XLVIII),and Conclusion No. 85 (XLIX) paragraphs (u) to (x) on family reunion and family unity and on refugee children and adolescents; and *re-emphasizes* that the family is the natural and fundamental group unit of society and is entitled to protection by the society and the State;

(b) *Underlines* the need for the unity of the refugee's family to be protected, *inter alia* by:

(i) measures which ensure respect for the principle of family unity, including, those to reunify family members separated as a result of refugee flight;

(ii) the consideration of liberal criteria in identifying those family members who can be admitted, with a view to promoting a comprehensive reunification of the family;

(iii) provisions and/or practice allowing that when the principal applicant is recognized as a refugee, other members of the family unit should normally also be recognized as refugees, and by providing each family member with the possibility of separately submitting any refugee claims that he or she may have;

(iv) the prioritization of family unity issues at an early stage in all refugee operations; and

(v) programmes to promote the self-sufficiency of adult family members so as to enhance their capacity to support dependent family members;

(c) *Calls* upon States, UNHCR and other relevant actors to give particular attention to the needs of unaccompanied refugee children pending their reunification with their families; and *affirms*, in this regard, that adoption of refugee children should only be considered when all feasible steps for family tracing and reunification have been exhausted, and then only in the best interests of the child and in conformity with international standards.

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[1] E/CN.4/1998/53/Add.2, annex. This document was prepared at the request of the Commission on Human Rights and was submitted by the Representative of the Secretary-General for Internally Displaced Persons in April 1998

## B. Conclusion on the CIS Conference Follow-up

22. The Executive Committee,

*Recalling* the Programme of Action adopted in May 1996 by the Regional Conference to address the problems of refugees, displaced persons, other forms of involuntary displacement and returnees in the countries of the Commonwealth of Independent States and relevant neighbouring countries and the conclusions of the Executive Committee at its forty-seventh, forty-eighth and forty-ninth sessions;

(a) *Reaffirms* the importance and continuing validity of the CIS Conference Programme of Action and the follow-up process to promote its implementation and stresses the necessity to reinvigorate joint efforts in maintaining the regional approach to migration problems;

(b) *Welcomes* the progress made in a number of the countries of the Commonwealth of Independent States in implementing the Programme of Action in both governmental and non-governmental sectors;

(c) *Notes* that a number of provisions of the Programme of Action are still at the stage of practical formulation and cannot be achieved by the year 2000;

(d) *Endorses* the decision made at the Steering Group in June 1999 to establish the Working Group to address the issue of follow-up to the 1996 Geneva migration conference and expresses hope that it will work out for the next meeting concrete proposals on modalities of the conference process after the year 2000;

(e) *Calls upon* Governments in all countries of the Commonwealth of Independent States, who bear the primary responsibility for addressing the acute problems of population displacement that they face, to strengthen their commitment, both practical and political, to implementing the Programme of Action to ensure more consistent and far-reaching progress, especially in the fields of human rights and refugee protection, and the problems of formerly deported peoples;

(f) *Welcomes* the accession of Georgia and Kazakhstan to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, and invites the Commonwealth of Independent States to intensify their efforts to accede to relevant international instruments and to give legislative and administrative effect to them;

(g) *Notes* the importance of joint efforts to overcome the constraints in implementing the Programme of Action, by achieving, inter alia, a higher level of political support, durable political solutions to conflicts, further democratisation and building of civil society, full implementation of legislation, adequate cooperation on a regional or bilateral level, deeper involvement of international financial institutions and development agencies, and availability of financial resources;

(h) *Notes* that the serious challenges faced by the countries of the region cannot be met by the resources and experience of those countries alone;

(i) *Welcomes* the support rendered by other States to the process so far, including the reaffirmation of that support at the meeting of the Steering Group in June 1999, and calls on States to continue and intensify their cooperation and support in the spirit of international solidarity and burden-sharing to assist the countries of the Commonwealth of Independent States in implementing the Programme of Action;

(j) *Appreciates* the efforts made by the High Commissioner for Refugees, the International Organization for Migration and the Organization for Security and Cooperation in Europe to support the implementation of the Programme of Action, ensure follow-up and to mobilize resources for this, and calls on them to strengthen their efforts and mutual cooperation;

(k) *Urges* the High Commissioner to continue to inform the public and further to enhance relationships with other key international actors, such as the Council of Europe, the European Commission and other human rights, development and financial institutions;

(l) *Welcomes* the progress made in building civil society, particularly through the development of the non-governmental sector, the development of cooperation between non-governmental organizations (NGOs) and the Governments of a number of countries of the Commonwealth of Independent States, notes in this regard the relation between the progress made in implementing the Programme of Action and the success in promoting civil society, especially in the field of human rights;

(m) *Calls on* Government of the countries of the Commonwealth of Independent States to further facilitate the formation and work of NGOs and, along with international organizations, to further strengthen their cooperation with NGOs and increase their involvement in the CIS Conference follow-up process;

(n) *Requests* the High Commissioner to keep the Executive Committee informed of measures taken in the implementation of the Programme of Action and of progress achieved on the issue of follow-up to the CIS Conference.

C. General Decision on Administrative, Financial and Programme Matters

23. The Executive Committee,

(a) *Confirms* that the activities proposed under the Annual Programme Budget for the year 2000 as set out in documents A/AC.96/916 and its Addendum have been found, on review, to be consistent with the Statute of the Office of the High Commissioner (General Assembly resolution 428 (V)), the High Commissioner's "Good Offices" functions as recognized, promoted or requested by the General Assembly, the Security Council, or the Secretary-General, and the relevant provisions of the *Financial Rules for Voluntary Funds Administered by the High Commissioner for Refugees*;

(b) *Approves* the programmes and budgets for Regional Operations, Global Operations and Headquarters under the 2000 Annual Programme Budget amounting to $933,553,000, including an Operational Reserve of $82,108,300 (representing 10 per cent of programmed activities), all of which are detailed in the Revised Table II.3 of A/AC.96/916/Add.1, page 9; and *authorizes* the High Commissioner within this approved level, to effect adjustments in Regional Operations, Global Operations and Headquarters budgets;

(c) *Approves* the revised 1999 General Programmes budget amounting to $413 million and notes the new revised Special Programmes budget amounting to $741.2 million (as detailed in A/AC.96/916/Add.1 (Revised Table II.8, pages 13-14);

(d) *Notes* the *Report of the Board of Auditors to the General Assembly on the Accounts of the Voluntary Funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 1998* (A/AC.96/917), and the *Measures taken or proposed in response to the recommendations of the Report of the Board of Auditors by the High Commissioner* (A/AC.96/917/Add.1); as well as the *Report of the ACABQ on UNHCR's Annual Programme Budget for the year 2000* (A/AC.96/916/Add.2), the *Report of UNHCR's Inspection Activities* (A/AC.96/918) and the *Report on UNHCR's Evaluation Activities* (A/AC.96/919), and *requests* to be kept regularly informed on the measures taken to address the recommendations and the observations raised in these various oversight documents;

(e) *Requests* the High Commissioner, within the resources available, to respond flexibly and efficiently to the needs currently indicated under the Annual Programme Budget for the year 2000 and as set out in the Global Appeal, and *authorizes* her, in the case of additional new emergency needs that cannot be met fully from the Operational Reserve, to issue Special Appeals and create Supplementary Programmes;

(f) *Urges* all States, in the light of the extensive needs to be addressed by the Office of the High Commissioner, to respond generously and in a spirit of solidarity, and in a timely manner, to her appeals for resources to meet the approved Annual Programme Budget and non-foreseen emergencies;

(g) *Notes* the revised Financial Rules (A/AC.96/503/Rev.7).

D. Decision on Programme of Work of the Standing Committee in 2000

24. The Executive Committee,

Having reviewed the issues before it at its fiftieth session, including the annual theme on strengthening partnership to ensure protection, also in relation to security, and the *Report of the Work of the Standing Committee* (A/AC.96/925), and having in mind the decisions and conclusions of its fiftieth session;

(a) *Decides* to adopt as the framework for the programme of work of the Standing Committee in 2000 the following items: international protection; programme/protection policy; programme and funding; governance; coordination; and management, financial, oversight and human resources;

(b) *Requests* that Member States review, at the Planning Meeting scheduled for December 1999, specific proposals for inclusion in the work programme for 2000, taking into consideration the calendar noted by the Planning Meeting in 1998, with a view to submitting their agreed work programme to the first Standing Committee in 2000 for formal adoption; and *requests* that Member States bear in mind the desirability of scheduling items over a biennial or longer period;

(c) *Requests* that UNHCR include in its documentation on each item the relevant audit and ACABQ recommendations as well as steps taken to implement those recommendations and related Executive Committee decisions and conclusions;

(d) *Authorizes* the Standing Committee to add and to delete items, as appropriate, to its inter-sessional programme of work;

(e) *Decides* to convene no more than three meetings of the Standing Committee in 2000 to be held in February, June and prior to the fifty-first plenary session of the Executive Committee;

(f) *Calls* on the Standing Committee to report on its work to the fifty-first session of the Executive Committee.

E. Decision on the Provisional Agenda of the Fifty-first Session

25. The Executive Committee,

*Decides* to adopt the following provisional agenda for the fifty-first session of the Executive Committee:

1. Opening of the session
2. Election of officers
3. Adoption of the agenda and other organizational matters
4. Annual theme
5. Reports on the work of the Standing Committee as they relate to:
   (i) international protection; and
   (ii) programme, administrative and financial matters
6. Consideration and adoption of programme budgets
7. Reports relating to programme oversight
8. Meetings of the Standing Committee in 2001
9. Consideration of the provisional agenda of the fifty-second session of the Executive Committee

10. Any other business

11. Adoption of the draft report of the fifty-first session of the Executive Committee

12. Closing of the session

F. Decision on Observer Participation in 1999-2000

26. The Executive Committee,

(a) *Approves* applications by the following Government Observer delegations for participation in meetings of the Standing Committee from October 1999 to October 2000:

Azerbaijan, Bosnia and Herzegovina, Burkina Faso, Croatia, Cyprus, Czech Republic, Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, Kenya, Luxembourg, Myanmar, Nepal, New Zealand, Peru, Portugal, Republic of the Congo, San Marino, Syrian Arab Republic, Slovakia, Swaziland, Ukraine.

(b) *Authorizes* the Standing Committee to decide upon any additional applications from Government Observer delegations to participate in its meetings during the aforementioned period;

(c) *Approves* the following list of intergovernmental and international organizations to be invited by the High Commissioner to participate as observers in relevant meetings of its subsidiary bodies from October 1999 to October 2000:

United Nations specialized agencies, departments, funds and programmes, European Commission, International Committee of the Red Cross, International Federation of Red Cross and Red Crescent Societies, Sovereign Order of Malta, Executive Secretariat of the Commonwealth of Independent States, League of Arab States, Organization of African Unity, Organization of the Islamic Conference, Council of Europe, International Organization for Migration

(d) *Recalls* the decision of the Standing Committee that non-governmental organizations (NGOs) registered at the fiftieth plenary session of the Executive Committee are invited to attend Standing Committee meetings in 1999/2000 as observers, upon written request from the individual NGOs concerned.

ANNEX I

Decisions adopted by the Standing Committee in 1999

In accordance with the authority vested in it by the Executive Committee, the Standing Committee in 1999 adopted a number of decisions on matters included in its programme of work. The texts of these decisions are annexed to the reports of Standing Committee meetings as follows:

A/AC.96/912 *Report of the Extraordinary Meeting of the Standing Committee (8 December 1998)*

Decision on Non-Governmental Organization (NGO) observer participation in the work of the Executive Committee of the High Commissioner's Programme and its Standing Committee

A/AC.96/913 *Report of the Fourteenth Meeting of the Standing Committee (9-11 February 1999)*

Decision on the standardization of UNHCR reporting

A/AC.96/924 *Report of the Fifteenth Meeting of the Standing Committee (28-30 June and 1 July 1999)*

I. Decision on the structure of the annual programme budget

II. Decision on annual theme of the fiftieth session of the Executive Committee

A/AC.96/927 *Report of the Sixteenth Meeting of the Standing Committee (28-30 September 1999)*

Decision on UNHCR Financial Rules

ANNEX II

Opening Statement
by the United Nations High Commissioner for Refugees
at the Fiftieth Session of the Executive Committee
of the High Commissioner's Programme

(Monday, 4 October 1999)

Welcome to this session - the fiftieth - of the Executive Committee - t all of you, and especially to Mozambique, its latest member. Mozambique received and reintegrated in an exemplary manner 1.7 million returnees who had fled during the civil war. Its membership is therefore very significant.

I congratulate the new Bureau, and its Chairman, Ambassador Pérez-Hernández y Torra of Spain. This year, as the Deputy Chairman, Ambassador Pérez-Hernández accompanied me both to Kosovo, and to his country. I am sure that under his leadership this Committee will work closely with us in defending and promoting the cause of refugees. My heartfelt thanks go to Ambassador Rodriguez Cedeño of Venezuela, under whose chairmanship the Committee has supported us through a difficult year.

I also have great pleasure in welcoming a good friend of UNHCR, a UN colleague whose partnership is important to us, whose thoughts are always provoking and refreshing, and whose opinion I value - the respected leader o one of the agencies we are most closely associated with: Carol Bellamy, Executive Director of UNICEF. There could not be more fitting manner to mark the "strengthening partnerships to ensure protection", the theme you chose t emphasize. Carol and I have often joined voices in calling for more attentio on issues of mutual concern. I am happy and proud that she is addressing the Committee this morning.

Fresh refugee crises as a result of new conflicts

It has been a year charged with fresh conflicts and refugee crises, in which civilians have been particularly targeted. At the last session of this Committee I spoke about an increase in conflicts. The trend has not reversed - it may even be advancing. Very often, the root causes of conflict and displacement lie in the failure to give due recognition to the aspirations and rights of ethnic minorities, or various social groups. This fuels separatist claims, especially in areas with a history of strong autonomy, and, in turn, it exacerbates tribalism, nationalism, and ethnocentrism. In many cases separatist trends are violently repressed. Minorities are particularly targeted by this repression. The success of separatism, on the other hand, leads to retaliations. The outcome are polarized societies and communities, and crystallized refugee crises.

In this context, categorizations between groups of displaced people ha become increasingly blurred. In certain areas, the growing role of criminal gangs and mafia-like power structures in internal conflicts further complicates the picture. Highly complex emergency situations have tested UNHCR's response capacity. Refugee movements have also become a major source

of instability and conflict: hence a demand for rapid solutions, sometimes at the expense of humanitarian and refugee protection principles, and sometimes requiring UNHCR and its partners to work rapidly and simultaneously in countries of asylum and of return. Both our mandate and our traditional operational responses are thus affected.

Let me start with two crises that have particularly challenged the international community, the United Nations, and UNHCR: Kosovo and East Timor.

In Kosovo, masses of people moved over a period of just a few weeks, against a backdrop of violence, military action, failed political negotiations and international tension. I will not dwell on well known events, but just mention a few elements indicating the complexity of the humanitarian and protection tasks, a complexity that is indeed becoming a standard feature everywhere. The outflow of people was staggering. They did not simply flee, they were expelled from their homes. To address this huge, abrupt, unpredictable exodus, we had to resort to services that only the military could provide. Return, when it occurred, only ten weeks after the outflow had started, was an even faster exodus in reverse. Managing these situations was tremendously challenging for all of us. Serious problems included logistics in Albania and securing admission for refugees in The Former Yugoslav Republic of Macedonia. Despite the obstacles, the response to the crisis did meet immediate needs of safety and survival. To examine lessons learned in the Kosovo crisis, I have commissioned an independent evaluation of the humanitarian response, the results of which I hope to share with you soon.

I wish to pay tribute here to the refuge offered by Albania, The former Yugoslav Republic of Macedonia and, in the Federal Republic of Yugoslavia, the Republic of Montenegro; to the generous hospitality of the host families; to the military for the professionalism of their support; and to the hard work of my colleagues in UNHCR and other agencies. I also wish to thank the many countries that cooperated in the unique humanitarian evacuation programme that proved vital to keep the door to safety open to so many refugees - a fine example of partnership in ensuring protection.

But the Kosovo crisis is not over. Almost a million people have had their houses destroyed or damaged. One priority of the Humanitarian Pillar of the United Nations Interim Administration Mission in Kosovo, which is headed by my Special Envoy, is to help these people through the winter - we are working hard, together with major governmental partners - such as the United States, the European Union and Japan - and many NGOs, to meet this deadline. But more intractable problems remain unresolved. Forced displacement continues to be a reality for the Serb and Roma minorities of Kosovo. Although K-FOR has been indispensable in curbing the violence, the firing of rocket-propelled grenades on a Serb market place last week, killing and injuring many, provided a dramatic reminder that attacks continue on a daily basis. The number of Serbs and Roma remaining in Kosovo has dwindled to less than half of the original population as a result of unacceptable revenge attacks. Ethnic Albanian leaders must be persuaded that the suffering of the Albanian people is no justification for renewed ethnic cleansing, that

violence exhorts violence and that any failure to speak out and to act will lessen the international community's sympathy and support.

Most minority people fleeing Kosovo are displaced in the Federal Republic of Yugoslavia, where there are now some 700,000 refugees and displaced people from Croatia, Bosnia and Herzegovina, and Kosovo. Their plight is dire in a country crippled by war, economic crisis and international isolation. I appeal to governments to help them with humanitarian aid. They face a harsh winter. It would be very wrong to let these people down.

More broadly speaking, the Kosovo crisis has made it even clearer that only through a comprehensive international effort - at the political, economic and social levels - will the Balkans be able to move from chronic conflict to stability, development and progressive integration in Europe. I therefore welcome the launching of the Stability Pact for South-Eastern Europe and trust that its swift implementation will also give new impetus to the search for lasting solutions for those still uprooted.

This is now very urgent. I regret to repeat, once again, that 1.5 million people from Bosnia and Herzegovina and Croatia have not yet returned home, four years after the Dayton peace accords. Some minority returns have occurred. These movements, however, must be accelerated. While isolated violence continues, security is no longer the primary concern. Property issues, poor economic conditions, unemployment and infrastructure needs - along with political obstacles - are now the main factors influencing decisions among potential minority returnees. Economic development and job creation are therefore important for resolving the problem of displacement in this area.

This year's other major refugee crisis has been East Timor. A fortnight ago, I travelled to Indonesia. The displacement situation, in both East and West Timor, and in particular the problems of protection for refugees and displaced people, are of extreme concern to UNHCR. UNHCR has operated in East Timor since March - and I wish to pay tribute here to my colleagues, and those of UNAMET and other humanitarian agencies, for maintaining a UN presence in spite of the extraordinary risks involved. Since the arrival of the InterFET multinational force, UNHCR has worked in East Timor as part of an inter-agency team in bringing protection and assistance to displaced people.

Some 200,000 people have fled to West Timor, and are thus of direct concern to my Office. While in Indonesia, I negotiated the establishment of a UNHCR presence there, and discussed with the government the conditions under which an operation would be feasible and effective. A UNHCR emergency team is now in Kupang, but access to refugees continues to be difficult and sporadic. Although material conditions are not dramatic, many are outdoors, with scarce food, in crowded places, and poor hygienic conditions. Many are hosted in families. The rainy season will begin in a few weeks' time. It is therefore very urgent to start organized assistance for refugees in West Timor before conditions deteriorate.

However, it is the protection and security situation that is of more serious concern. There are many reports of people having been forced by

militias to leave East Timor. There are reports of people who may be forcibly kept, hostage-like, in West Timor, under their control. There are reports of refugees having been taken to other islands against their will. Such reports are matched by the visible presence of armed militia elements among the displaced population.

There are two priorities in addressing the situation in West Timor: first, the Indonesian government must provide all necessary security measures to secure both refugees and humanitarian agencies, maintain the civilian character of refugee sites, and facilitate humanitarian activities; second, whatever option refugees will choose - return, remain or go elsewhere in Indonesia - it will have to be free and informed, impartially ascertained, respected and fulfilled. I hope in particular that safe return to East Timor will be possible soon. To meet these goals, UNHCR must - I repeat: must - be present in West Timor, and its access to refugees must be free and secure. The Indonesian government has accepted our proposals, and there are positive indications on the ground. The proof of its engagement will be in swift and safe implementation.

Two critical regions

My Office has been called upon to address new forced population movements also in other parts of the world, for example in Colombia, where the situation of internally displaced people has deteriorated: for the first time, about 3,500 of them crossed the border and fled to Venezuela in July. In a few countries, some voluntary repatriation has occurred. In many places, however, refugee situations have stagnated, reflecting the worsening of on-going conflicts or lack of progress in political negotiations - for example in Sri Lanka, where fresh fighting has caused added concern; or in Nepal, where I regret to report little progress on the search for solutions for 97,000 Bhutanese refugees. In Bangladesh, at least *interim* solutions for refugees unwilling or unable to return to Myanmar need to be promoted and accelerated.

There are two regions, however, in which refugee problems have been particularly critical, and to which I would like to draw your attention.

In Africa, on the one hand, bold efforts have been made to bring peace to the most troubled areas. The Lomé and Lusaka ceasefire agreements bear witness to Africa's strong desire for peace. I would like to pay tribute to those courageous, visionary African leaders who have largely inspired these efforts. I have spoken of the extraordinary sense of hope and determination felt at the OAU Summit in Algiers. That this should occur in the year in which we commemorate the 30th anniversary of the forward-looking OAU Convention on Refugees, is more than a happy coincidence.

On the other hand, the implementation of the agreements has not progressed, and old refugee crises have not been resolved. Further advances in UNHCR's preparations for repatriation to the Western Sahara territory depend on the progress of political negotiations. Sudanese refugees have continued to arrive in Uganda and Kenya, and people displaced by the Ethiopian/Eritrean conflict await the implementation of the agreement based on the OAU framework for peace.

I travelled to West Africa in February, and to Central Africa in June. In July, I briefed the Security Council about the refugee situation in these regions. Peace continues to be a mirage for people on the ground. Half a million Sierra Leoneans still live in camps - some of them very insecure - in Guinea and Liberia. I am very worried about the situation in Liberia, where there have been attacks by rebel groups in areas to which Liberian refugees have been returning, and where Sierra Leonean refugees are hosted. True, more than 330,000 Liberians have returned home, but recent outbreaks of fighting are discouraging the remaining refugees from returning home, and - worse - may force Liberians to flee again. There have been worrying cross-border rebel attacks into Guinea - a country which should not be paying such a price for continuing to generously bear an enormous refugee burden.

In Central Africa, conflicts continue to be connected and interlinked, not only due to their geographical proximity, but also through "coalitions" of defeated or disbanded armed groups, often complicating our protection task by moving along with refugees. Inflows into Gabon and the Central African Republic mark a progressive widening of the spiral of refugee crises. In spite of the Lusaka Agreement, the extremely complex pattern of war in the Democratic Republic of the Congo is a fertile environment for the outbreak of smaller, violent sub-conflicts, likely to cause further population movements. I have recently expressed to the UN Secretary-General my concern at the potential for fresh and sudden refugee crises. Fighting in the Democratic Republic of the Congo, and the Republic of Congo, have already forced people to criss-cross these countries' borders. The situation in Burundi is very fragile, as shown by fresh episodes of violence. Repatriation from camps in Tanzania - still hosting 260,000 Burundian refugees - has virtually ceased. Conflict in Angola has pushed more refugees into neighbouring countries, and worsened the catastrophic situation of internally displaced people - perhaps the single worst humanitarian crisis in Africa.

Another area - of lower profile but much concern to my Office - is the vast region stretching from the Black Sea to Central Asia. Growing problems linked to population movements - from the North Caucasus to Kyrgyzstan - prove the wisdom of the approach that we adopted through the CIS Conference process, and the need to pursue our efforts in that direction.

I am especially worried by the situation on the southern border of the Russian Federation. Fighting in Daghestan has displaced about 33,000 people. Tens of thousands have fled Chechnya to neighbouring Ingushetia. This conflict may cause further displacement in an already very fragile region. The Russian federal government and the Ingush authorities have requested assistance from UNHCR. Criminal gangs threatening humanitarian agencies throughout this region, however, make our operations very risky and difficult. As you know, in December the former head of our Vladikavkaz office was freed after spending almost a year as a hostage. We shall therefore provide such assistance through local networks from our base in Stavropol.

In the South Caucasus, which I visited at the beginning of September, *impasses* in peace processes have resulted in "frozen" situations in which people are prevented from returning home. I hesitate to call them "post conflict" situations, because conflicts have not actually been resolved, even if wars are not being actively fought any longer. The size of

human displacement is staggering. Well over one million people are refugees or internally displaced in Armenia, Azerbaijan and Georgia. I regret that addressing these situations has ceased to be a priority for the international community, at a time of other, more pressing crises.

Refugees and displaced people may not be directly targeted any longer in the South Caucasus, but genuine support for their undeniable right to return home is sometimes mixed with the wish to make political capital of their situation. Their plight serves this purpose better if it is unresolved. I would like to ask governments in the region to address with greater consistency and sense of urgency the immediate problems of the displaced, particularly housing. I also urge all concerned governments to support bilateral talks between Armenia and Azerbaijan, which show signs of progress; and encourage more actively peace negotiations in Georgia.

Further east, in Afghanistan, the situation of population displacement is becoming increasingly complicated. Renewed fighting has caused fresh movements. More than 150,000 people are now estimated to be internally displaced as a result, with very little assistance reaching them. At the same time, repatriation of refugees continues from Iran and Pakistan, which after almost 20 years still bear the burden of 2.6 million refugees. Two points must be stressed: first, humanitarian agencies have little access to areas of either internal displacement or refugee return, and this is of the utmost concern; second, the Afghan refugee problem, one of the oldest and largest in the world, continues to receive far too little attention.

Adapting management to external changes

Mr. Chairman, the situations I have described underline the importance of remaining constantly sensitive to the need to improve the management of our refugee protection mandate, particularly in emergency situations. Since 1996, we have embarked on a major change process, focusing on delegation and decentralization, approaching refugee situations comprehensively, and further improving emergency functions. Throughout the past year we have continued to work on elements of this process. Other needs for change and improvement have become evident. Let me highlight five areas which deserve your attention.

First, in 1999 we have had one of the highest rates of deployment of emergency staff since our response system was established in 1992. More than one hundred people - including staff from UNHCR's partner agencies - were deployed between March and June to the southern Balkans alone. At the same time, we continued to send staff to respond to other emergencies. This stretched our capacity, since we did not resort to external recruitment. But we have learned some lessons. Given the coordinating role that we play in refugee emergencies, we must strengthen our emergency stand-by capacity at the senior and middle management level, including in areas such as protection management. We must improve mechanisms triggering the early emergency deployment of staff and the hand-over to longer-term personnel. We must expand and strengthen training of staff in all regions. Incidentally, I am pleased to report that the long awaited second edition of the UNHCR Handbook for Emergencies, updating the 1982 edition, was published this year.

Second, we have completed a reorganization which streamlines the overall management of the Office. Two Departments are now responsible for international protection and operations respectively. I wish to stress, in particular, that one of the goals of restructuring was to ensure a proper role for the Department of International Protection in contributing to the overall decision-making process. A division dealing with communication and information regroups key functions previously working autonomously. The management of all resources - human, financial and material - is placed under another division. Closely connected with the reorganization of headquarters was the restructuring of operations in Africa, with the creation of three field-based regional directorates. A fourth Director, based at headquarters, is responsible for policy, coordination and information.

Third, we have continued to develop a comprehensive Operations Management System. A new framework has been devised for planning and financial management, which gives added emphasis to protection and solutions in our field strategies. A new software system will be introduced in support of this framework.

Fourth, the budget for the year 2000, which you have before you for approval, has been consolidated in a unified structure, which abolishes the separation between General and Special Programmes. This reflects your own wish to see a more streamlined organisation of the budget. We took a bold step but the new structure is a much clearer presentation of our requirements, and allows for more transparent reporting on the use of resources. I hope this will encourage governments to allocate adequate funding in a flexible and timely manner.

Fifth, on 1 January we shall also launch a new human resources management package. It will be based on a new approach which aims at ensuring a better link between skills, job requirements and the posting system, as well as a more transparent and merit-based promotion policy. In support of these improvements, we have initiated an ambitious staff development strategy based on five core learning programmes, thereby responding to recommendations made by various training evaluations and the Executive Committee in past years.

Humanitarian action and international responses to crises

Mr. Chairman, new conflicts have erupted while old ones remain unresolved. The international community is in search of quicker, more effective responses. The renewed debate over "humanitarian intervention" proves the interest in identifying the most adequate mode of international response to conflicts as in Kosovo or East Timor.

The prevailing type of "new wars" - simultaneously linking internal and international fronts - affects regional security. Countries react quickly when they perceive that security and stability are threatened in their region. Results are mixed, and deserve careful examination. In Kosovo, NATO action eventually reversed the cleansing of ethnic Albanians and allowed their return, but the exodus of Serbs and other minorities has made the achievement of their task incomplete. In Sierra Leone, the ECOMOG effort to enforce peace took time, came after many civilians had been killed, maimed or

displaced, and was less thorough than it could have been, mainly due to lack of resources; but it managed to contain the conflict. In Central Africa there has been no military intervention to restore peace. However, both the Lome and Lusaka agreements may open up possibilities for peace if they are given proper and swift support by the United Nations and the international community. Both, I wish to stress, would not have been possible without regional efforts. In East Timor, InterFET, led by regional forces, is bringing the territory back to the rule of law - a first necessary attempt to stop widespread atrocities, but still a long way from reconstruction and the establishment of an organized administration.

I welcome regional initiatives to bring peace to troubled areas. From a UNHCR perspective, however, there are new, complex aspects of these interventions that we must address - two in particular. First, the role of the military in humanitarian operations. Second, the overcrowding of the humanitarian space in high profile emergencies.

As I said before, services provided by the military - especially those for which they can offer added value in terms of technical and extensive organizational capacity - are most useful in large-scale humanitarian emergencies. In Albania and The former Yugoslav Republic of Macedonia, for example, we agreed with military forces that their tasks would be limited to a number of well defined services: air and port logistics, transport of refugees and goods, camp construction, and road repairs.

There are some risks, though. In the Kosovo crisis, there were instances in which assistance was provided directly by the military, sometimes to gain legitimacy and visibility. These episodes undermined coordination and deprived civilian humanitarian agencies of effectiveness and clout. More broadly speaking, the involvement of the military in humanitarian operations can - in certain situations - expose refugees to a conflict, or even make them party to it, jeopardizing their security. For this reason it is essential to maintain clear distinctions: the military can support but should not substitute agencies with humanitarian mandates. These agencies alone have the necessary, principled independence from political considerations. The experience and expertise to deal with the human dimension of crises - the suffering of civilians, their traumas, the terror of flight, the pain and uncertainty of exile - are with us, the civilian humanitarian agencies. The military should ensure the respect of a previously agreed division of labour and endeavour to ensure the correct public perception of such a division.

Kosovo also showed that in a high-profile emergency, the operating space of humanitarian agencies has become unbearably overcrowded. "Being there", and being seen as dealing directly with refugees, became almost a necessity for many different actors. Humanitarian resources were often used by governments directly, bilaterally. These trends, too, diminished the ability of humanitarian agencies to operate.

I understand the pressure of outraged public opinion on governments to act swiftly to relieve suffering. I also agree that coordination among humanitarian agencies is important, and by coordination I mean a clear division of labour, according to respective mandates and capacities. However, governments should help humanitarian agencies organize their operating space.

rather than weakening their action by bypassing or overloading it. Much has been said about the very obvious disproportion between aid pouring into the southern Balkans during the Kosovo crisis, and the modest resources made available by governments to respond to other, equally grave crises, especially in Africa. I agree with this criticism. I believe that channelling resources through multilateral agencies can help redress at least part of the imbalance. I wish therefore to ask this Committee to reconfirm its support for multilateral action, avoiding as much as possible any temptation of bilateral humanitarian micromanagement, and humanitarian bilateralism.

Refugee protection: a unique, irreplaceable mandate

To go even further, I wish to touch on the very essence of the mandate of my Office. UNHCR's work is of course humanitarian - saving and bringing basic support to people's lives. But its core mandate is much more specific, since it concerns the protection of refugees and the search for solutions to their problems.

Protection is above all the granting of asylum to those fleeing persecution or conflict. Protection is primarily identifying, defending and advocating refugees' rights. Kosovo has shown once more the absolute necessity of asylum as a key, life-saving instrument of refugee protection. A very important opportunity to reaffirm this idea will be the upcoming Special European Council Summit in Tampere, which will adopt the European Union's asylum and migration policy. I wish to call upon heads of state and government who will attend the Summit to ensure that such policy be firmly rooted in the proper and inclusive application of the 1951 Refugee Convention. The example and precedent which is about to be set in Tampere is of capital importance not only for the future of refugee protection in the European Union, but also in countries that are candidate to the enlargement of the Union, in the rest of Europe, and in the world. As such, I hope that it will be visionary and forward-looking, and not simply based on minimum common denominators.

But asylum, indispensable as it is to protection, is only its first step. Implementing protection entails a broad spectrum of activities. UNHCR's role is not only to advocate refugees' rights. Enabling them often requires difficult diplomacies - not over principles, that cannot be negotiated, but over the modalities of their application. Protection also takes the form of relieving the refugees' plight: ensuring that their material needs are met, counselling and alleviating their traumas, helping them become self-sufficient, making sure that communities hosting them do not become hostile, creating awareness worldwide. It means paying special attention to the most vulnerable, like women and children, and also the elderly, a group which is often forgotten, in spite of its growing presence.

In carrying out this essential aspect of our mandate, we shall of course continue to collaborate with our closest partners: the UN operational agencies, UNICEF and the World Food Programme; non-governmental organizations, that give crucial support to our direct interface with refugees; the UN Office for the Coordination of Humanitarian Affairs; the

international Committee of the Red Cross; the International Organization for Migration; and, increasingly, especially during the critical phase which follows emergencies, the UN Development Programme and the World Bank.

Asylum gives safety to refugees. But this literally vital action demands that the search for solutions to their plight begins as early as possible. And this search is about carving out, from very difficult situations, realistic choices to offer to refugees, and finding ways to make them fully informed of these choices. An essential pre-condition for the success of this work - the point, so to speak, in which all our efforts converge - is to be present on the ground with refugees, which requires that we have full and free access to them. This is why refugee protection is the raison d'être of UNHCR's presence in most times. This is why situations where we have little or no presence, such as Afghanistan or the Democratic Republic of the Congo, or certain areas of Liberia and Sierra Leone, are so worrying. Sometimes factors are very limited, but some others times, thanks to the good cooperation of governments, they are rich and varied. The ideal objective for any refugee situation is to foster conditions for refugees to make a free and informed choice about their future. There is no better way to restore dignity to a refugee's life than to offer her or him the possibility to make this choice.

UNHCR's mandate has therefore a very precise identity, which - I wish to stress - cannot be substituted by other, more generic forms of humanitarianism. Whenever international efforts have a refugee component, the mode of response must be based on the principles of refugee protection. UNHCR's mandate as custodian of these principles, and as the office charged by the international community with seeking solutions to refugee problems, must be respected.

All the activities I have described - from defending asylum to helping refugees in exile and searching for solutions - require specific expertise. They are not simply "humanitarian" tasks but they are central to the protection nature of refugee work. Today, the operating space of UNHCR and of its partners in protecting refugees is at times threatened. But on our behalf, since we are here to serve, but on behalf of the millions of people of our concern, I would like to ask you to help us better define and defend it.

Let me conclude with an example that I consider very appropriate to this discussion. In July I visited Mexico. Together with President Zedillo of Mexico and President Arzú of Guatemala, I participated in a ceremony marking the end of the Guatemalan repatriation programme. Some refugees opted to return, some chose to be naturalized, others to be allowed to remain in Mexico as immigrants. Mexico's acceptance of refugees, Guatemala's on-going and still difficult progress towards peace and reconciliation, and many years of creative and courageous work by committed staff of UNHCR, other UN agencies and NGOs, have been of invaluable support to the efforts made by refugees themselves to rebuild their lives. This, I believe, is a truly exemplary case of partnership in granting safety, assisting and providing choices to a group of refugees - of partnership in protection. To make it even more complete, the government of Mexico announced its intention to accede to the 1951 Refugee Convention. This will constitute an important

example to which I would like to draw the attention of all States, and which I hope will be followed by members of this Committee that have not yet signed this key refugee protection instrument.

In the year 2000, UNHCR will observe its 50th anniversary. We do not want to celebrate its birthday - our Office was created to resolve a problem, and its longevity is thus a bad sign. But refugees - yes, I think we should celebrate refugees! We should celebrate their courage, resilience and determination. And there is something of our own work that we should be especially proud of as this important anniversary approaches. It is our renewed ability to offer them opportunities, and means to achieve these opportunities. This will help them not to be a burden, and not to be seen as one. It will help them make positive contributions, during the hard period of exile, to the communities giving them asylum. And once their plight is solved, back home, or in a new country, it will help them be fully part of their own communities. Thanks also to the joint efforts of all of us, it will make them hope, and feel, that they own a future.

Thank you, Mr Chairman.

ANNEX III

Chairman's Summing up of Agenda Item 6: Annual Theme (Strengthening partnership to ensure protection, also in relation to security)

(Thursday, 7 October 1999)

The scope and range of the debate on the annual theme, "strengthening partnership to ensure protection, also in relation to security", has been indeed rich and wide ranging. The discussion of partnership -- which is included in the Statute of UNHCR -- seems particularly appropriate as we prepare for the 50th anniversary of the founding of the Office. It is not my intention to provide a comprehensive summing up, but rather highlight some of the main threads of our debate.

I am sure that the High Commissioner appreciates the tribute paid to the work of the Lao Office over the past year, one which has witnessed dramatic events in Africa, the Balkans, the Caucasus and Central Asia, and most recently in East Timor. Likewise she appreciates the information you have provided on the legislative and other measures you have taken with national partners. Many delegations have also informed of comprehensive plans implemented to consolidate peace and ensure tolerance. You also provided a clear message regarding support for the safety and security of humanitarian staff, an issue which should and is being given ever increasing attention.

The introductory statement of the High Commissioner, which focused on the new challenges facing her Office and their consequences for humanitarian activities, was warmly welcomed. The role of the military in humanitarian operations and the overcrowding of humanitarian space in high profile emergencies are two developments over the past year that UNHCR is striving to come to grips with. The High Commissioner emphasized that despite recent events around the world, preserving the principle of asylum and ensuring that refugees are offered choices remain the fundamental objectives of the Office.

The Committee also was privileged to hear statements from the Executive Director of the United Nations Children's Fund and the United Nations High Commissioner for Human Rights. Ms. Bellamy emphasized U / close collaboration between her Office and UNHCR on the problems related to children as a particularly vulnerable group in the refugee caseload. She also drew attention to the partnership for cooperation established between UNICEF, UNHCR and WFP, suggesting that, while not perfect, it was a good model. Mr. Robinson highlighted the close relationship between her Office and UNHCR concerning human rights, protection and assistance to refugees.

The background paper on the annual theme provided the Executive Committee a useful basis for debate. Your interventions addressed a broad range of issues.

In the area of protection and security, you recognized the complexity of the global environment in which humanitarian action is carried out, especially with regard to the relation between humanitarian operations and military forces. This was reflected in your support for the Secretary-General's recommendations on the protection of civilians in armed conflict

and the strong interest shown in the "ladder of options" concept introduced by the High Commissioner to address security and the separation of armed elements from civilians in refugee hosting areas. The role of the Security Council was highlighted in this respect. More broadly, UNHCR was encouraged to continue providing briefings to the Security Council to ensure greater support on these and other issues. Training was seen as an important element of UNHCR's efforts to pursue partnerships, especially with regard to police personnel assisting in security arrangements for camps.

With regard to UNHCR and its partners, all levels of partnership, including with States, other international organizations, regional organizations, local populations and other elements of civil society, including NGOs, were seen as important. The necessity of maintaining partnership with refugees and other displaced persons was stressed by many as a means of ensuring their participation in solutions to their plight. Support was also expressed for UNHCR's efforts to "reach out", the Brookings Process and regional initiatives, as well as efforts to strengthen or establish new relationships with national NGOs, academia and the private sector. The partnership and reach out with NGOs in the framework of the revitalized PARINAC process was welcomed by many speakers.

Recent crises in Africa figured prominently throughout our debate. Not only was there considerable discussion about respective countries and regions, but concerns were raised about the disparity in attention and consequent resource allocations. Many delegations stressed the need for the international community to provide adequate resources to deal with the very serious refugee situations in Africa. Furthermore, it was mentioned that the allocation of resources to the latest crises should not be at the expense of protracted crises in Africa. This is a message which must be kept in mind. Several delegations further pointed out that this years theme followed logically from last years discussions on international solidarity and burden-sharing and that this issue still needs to be addressed.

Yet it was encouraging to note that there was strong support for the regional initiatives that have taken place recently, such as the Lusa and Lusaka ceasefire agreements, the OAU Summit in Algiers and greater cooperation between the OAU and UNHCR. There is an obvious desire for peace in Africa.

Another concept that I have taken note of quite clearly is the necessity for the international community, UNHCR, this Committee and NGOs to study in depth the impact of large refugee populations in host countries, with due consideration given to the environment, infrastructure and local population.

The background document prepared by the Secretariat presented us with several questions for our consideration:

Why do we need partnerships?

Firstly, I believe that partnerships are necessary because it is more effective and efficient to work together than to work alone.

By working closely with States, UNHCR can ensure that the fundamental principles underlying its mandate and international instruments applicable in refugee situations will be upheld, and we can begin to reverse the disturbing trends of discrimination, xenophobia and closed borders on the one hand, while addressing issues of illegal immigration, trafficking and asylum abuse, on the other. International solidarity and burden sharing can also result from partnerships, as exemplified by the Humanitarian Evacuation Programme from the former Yugoslav Republic of Macedonia, cited as a recent and outstanding demonstration of this.

By working with other international organizations -- long-standing partners in humanitarian assistance such as UNICEF, WFP and ICRC and new partners UNHCHR, UNDP, financial institutions and others -- the respective comparative advantages, experience and talents of these organizations can be drawn upon to ensure a more comprehensive approach to the problems of displacement. The role of UCHA in this respect was underlined.

By working with regional organizations, we can formulate new approaches taking account of the special relationships these organizations can bring to bear on refugee situations and strengthen their ability to address the root causes of displacement. We can already see the fruits of this in UNHCR's interaction with the OAU, ECOWAS, SADC, IGAD, the EU and the CIS, amongst others. Regional approaches to displacement, such as the CPA and CIREFCA, have demonstrated the value of effective partnerships at the regional level.

By working with civil society, especially NGOs, we can mobilize a vast reservoir of knowledge, grassroots experience and concern to deliver humanitarian assistance in a more timely and effective manner. And by reaching out to new partners, as reflected by the High Commissioner's recent visit to my own country of Spain, we can help raise the consciousness of the global public regarding the needs of refugees and displaced persons, while at the same time generating new resources to support our efforts to seek durable solutions.

Finally, we must recognize, as so many of us have pointed out, that our most important partners are refugees themselves, including the women and children who make up the vast majority of the refugee population. They have special knowledge and skills that can enhance the effectiveness of the assistance we provide and, with our help, ensure that they can participate in the design and implementation of activities on their behalf, in peace-building processes and the opportunity to make choices about their future.

What are the elements of successful partnerships?

Many of you have commented on this and there seems to be broad agreement with the points UNHCR laid out in the background document. Collectively, we seem to agree on the following:

Partnerships must be based on mutual confidence, consent and respect. They must have a clear purpose with agreed upon parameters and give credit to what each participant brings to the partnership; a transparent process with open communication among all partners; focal points and appropriate training

for the participating partners. Each partner must also have in place internal mechanisms for evaluation.

Are there limits to partnerships?

Certainly there are some constraints.

UNHCR as the lead partner in refugee situations, must ensure that its mandate and underlying principles always remain at the forefront of its partnerships and that the role the State in this regard remains essential. Effective coordination with NGO partners will need to be provided in order to avoid the adverse effects of competition, especially in high profile emergencies where humanitarian space can be overcrowded.

Special attention should be given to ensure the impartial and fundamentally humanitarian nature of assistance, particularly regarding the cooperation with security forces.

What is the impact of partnerships on the ground?

First and foremost, partnerships in the field can enhance the provision and quality of international protection for refugees. They can also help create conditions for the safe voluntary repatriation of refugees to a secure environment where they can contribute to the reconstruction and development of their country of origin. This will require more active partnerships between donor governments and humanitarian and development actors, as well as the appropriate involvement of NGOs, local populations and refugees.

Partnerships can also promote the establishment of early warning systems aimed at preventing situations of displacement.

Effective partnerships should be able to help mitigate the impact of refugees on local communities and the local environment, thereby diminishing the burden on host countries, while working towards a durable solution. Partnership is key in ensuring the security and civilian character of camps. Improved refugee registration systems on the part of UNHCR was seen as one means of mitigating security problems in camps.

But most of all, effective partnerships which include the refugees themselves, will maintain respect for their dignity and, through careful planning and open communication, offer them choices rather than charity.

Issues needing further follow-up

There were a number of issues suggested by the debate which could benefit from further discussion.

1. How can States be supported to fulfil their primary responsibility for protection of refugees?

2. How can bilateral partners best support multilateral humanitarian activities?

3. How can the military best provide support to humanitarian operations, for instance in air and port logistics, transport of refugees and goods, camp construction and road repairs?

4. What partnerships can be developed as a result of the Brookings Process to address the gap between relief, rehabilitation, reconstruction and sustainable development?

5. How can coordination be strengthened through partnerships to make the best use of comparative advantages whilst avoiding the duplication of efforts?

6. What is the best use of local population in future partnerships?

7. How can we engage new partners from less traditional sources?

8. How can global partnerships enhance the awareness of resource needs and avoid double standards in resource allocation?

9. To what extent can NGO partners be included in the dialogue between governments and UNHCR?

10. How can lessons learned be shared effectively amongst partners?

While a number of issues remain, it seems clear from our debate that partnerships will continue to be an important part of efforts to respond to the needs of displaced persons around the world. We as Members of this Executive Committee must play a significant role in this collective endeavour.